

DRAFT CONDITIONS

GENERAL MATTERS

Standard Conditions

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

Drawing no.	Prepared by		Dated
<i>Architectural Drawings</i>			
Drawing list, DA2-02, issue: A	fitzpatrick partners	+	14/08/2019
Location plan, DA2-03, issue: A	fitzpatrick partners	+	14/08/2019
Site analysis – existing, DA2-04, issue: A	fitzpatrick partners	+	14/08/2019
Context plan, DA2-05, issue: A	fitzpatrick partners	+	14/08/2019
Typical office – level 13, DA2-10, issue: A	fitzpatrick partners	+	14/08/2019
Terrace – level 14, DA2-11, issue: A	fitzpatrick partners	+	14/08/2019
Typical office – level 15-21, DA2-12, issue: A	fitzpatrick partners	+	14/08/2019
Terrace – level 22, DA2-13, issue: A	fitzpatrick partners	+	14/08/2019
Typical office – level 23-29, DA2-14, issue: A	fitzpatrick partners	+	14/08/2019
Plant – level 30, DA2-15, issue: A	fitzpatrick partners	+	14/08/2019
Lift motor room – level 31, DA2-16, issue: A	fitzpatrick partners	+	14/08/2019
LMR roof, DA2-17, issue: A	fitzpatrick partners	+	14/08/2019
South-west elevation, DA2-20, issue: A	fitzpatrick partners	+	14/08/2019
North-east elevation, DA2-21, issue: A	fitzpatrick partners	+	14/08/2019
North-west and south-east elevation, DA2-22, issue: A	fitzpatrick partners	+	14/08/2019
Sections A & B, DA2-23, issue: A	fitzpatrick partners	+	14/08/2019
Section C, DA2-24, issue: A	fitzpatrick partners	+	14/08/2019
Façade sunshades – summary, DA2-31, issue: A	fitzpatrick partners	+	14/08/2019
Façade sunshade – shadow diagrams, DA2-32, issue: A	fitzpatrick partners	+	14/08/2019
Façade details, DA2-33, issue: A	fitzpatrick partners	+	14/08/2019
Area schedule, DA2-39, issue: A	fitzpatrick partners	+	14/08/2019
Perspectives, DA2-40, issue: A	fitzpatrick partners	+	14/08/2019

Perspectives, DA2-41, issue: A	fitzpatrick partners	+	14/08/2019
Perspectives, DA2-42, issue: A	fitzpatrick partners	+	14/08/2019

Document	Prepared by	Dated
Statement of Environmental Effects, ref: 18042	Robinson Urban Planning	22 August 2019
Fire Engineering Statement, ref: 2128362	GHD	22 August 2019
Building Code of Australia 2019 Compliance Report, ref: 06082018, revision A	McKenzie Group	16 August 2019
Environmental Wind Tunnel Tests, ref: 11628	CPP: Cermak Peterka Petersen	8 November 2017
Façade Pressure Wind Tunnel Tests, ref: 11628	CPP: Cermak Peterka Petersen	23 November 2017
Wind Study Peer Review (response to review dated 24 October 2019), ref: 11628	CPP: Cermak Peterka Petersen	7 November 2019
Wind Study Peer Review (response to review dated 24 October 2019 – comment 3.2), ref: 11628	CPP: Cermak Peterka Petersen	7 November 2019
Wind Study Peer Review (response to review dated 28 November 2019 – item 2.2), ref: 11628	CPP: Cermak Peterka Petersen	10 December 2019
Reflectivity assessment, ref: 11628	CPP: Cermak Peterka Petersen	23 August 2019
Design statement for DA, ref: 2-10 Valentine Avenue, Parramatta	fitzpatrick partners	Undated
DA-2 – Addition to Approved Office Building (DA/841/2017) Revision A Structural Report, ref: 161403SAAB	Taylor Thomson Whitting	15 August 2019
Green Travel Plan, ref: 161403 TAAE, revision 2	Taylor Thomson Whitting	22 August 2019
Loading dock capacity statement, ref: 161403	Taylor Thomson Whitting	22 August 2019
Construction Management Plan/ Environmental Management Plan/ Construction Traffic Management Plan, version 3	Investa	August 2019
Section J report, ref: 256013, revision 3	Aurecon (Zofia Kuypers)	12 August 2019
Access Statement	Morris Goding Access Consulting	22 August 2019
Waste management plan – demolition, construction and use of premises	Investa Office Developments (Natasha Devlin)	22 August 2019
Operational Waste Management Plan, ref: 256013, revision A	Aurecon (Maeve Molins and Shaun Devine)	20 August 2019

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

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

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

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

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

Reason: To ensure compliance with legislative requirements.

4. Except for the external sunshading and wing wall on the north-western elevation, 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.

Design Excellence

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

- (a) The architectural design team, *fitzpatrick + partners*, is to have direct involvement in the design documentation, contract documentation and construction stages of the project (including signing off any required certifications at development application, modification application, construction certificate and occupation certificate stages).
- (b) The design architect's team is to have full access to the site, following appropriate safety inductions, and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of any design issues throughout the life of the project.
- (c) Evidence of the design architect's team commission is to be provided to the Council prior to release of the relevant Construction Certificate.
- (d) Council's Design Competition Panel (Design Excellence Jury) is to review and provide comment on the architectural drawings, landscape drawings and samples of all external materials, in particular the external glazing and façade detailing to ensure the scheme remains substantially the same as the award winning scheme prior to the issue of any relevant Construction Certificate and any Occupation Certificate.
- (e) The design architect of the project is not to be changed without prior notice and approval of the Design Excellence Jury.

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

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

Endeavor Energy

- ~~6. Endeavour Energy's G/Net master facility model indicates that the site is in a location identified or suspected of having asbestos or asbestos-containing materials (ACM) present in the electricity network.~~

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

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

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

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

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

- ~~7. The decommissioning of the existing substation and its replacement or augmentation, will be dealt with as part of Endeavour Energy's application for connection of load. The certification of the design does not constitute an agreement for the release or variation of the easement and no works should be undertaken to decommission the existing infrastructure within the easement until the release or variation of the easement has been resolved and approved by Endeavour Energy.~~

~~**Reason:** To comply with the requirements of Endeavour Energy and maintain electrical supply to surrounding properties.~~

- ~~8.6. Workers involved in work near electricity infrastructure are at risk of receiving an electric shock and causing substantial damage to plant and equipment. All physical works must to comply with Endeavour Energy's public safety policies that assist the general public and construction workers in understanding associated risks and safe work procedures. The public safety training resources are also available via Endeavour Energy's website via the following link:~~

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

~~**Reason:** To comply with the requirements of Endeavour Energy and maintain electrical supply to surrounding properties.~~

- ~~9.7. In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours/7 days.~~

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

Roads and Maritime Services (RMS)

- ~~10. All vehicles shall enter and exit the site in a forward direction.~~

~~**Reason:** To ensure compliance with requirements of RMS.~~

- ~~11. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to~~

landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018. Parking restrictions may be required to maintain the required sight distances at the driveway.

Reason: To ensure compliance with requirements of RMS.

- ~~12.8.~~ The proposed development will generate additional pedestrian movements in the area. Pedestrian safety is to be considered in the vicinity.

Reason: To ensure compliance with requirements of RMS.

- ~~13.9.~~ A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on the surrounding road network during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

Reason: To ensure compliance with requirements of RMS.

Sydney Trains

- ~~14.10.~~ Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.

Reason: To comply with the requirements of Sydney Trains and SEPP (Infrastructure) 2007.

- ~~15.11.~~ Compliance with any acoustic assessment applicable to development consent DA/841/2017.

Reason: To comply with the requirements of Sydney Trains.

- ~~16.12.~~ Compliance with the electrolysis report applicable to development consent DA/841/2017.

Reason: To comply with the requirements of Sydney Trains.

- ~~17.13.~~ Compliance with any track monitoring plan applicable to development consent DA/841/2017.

Reason: To comply with the requirements of Sydney Trains.

Transport for NSW (TfNSW)

- ~~18.14.~~ Transport for NSW (TfNSW) concurrence provided for DA/841/2017 is not amended by any part of this development consent. The TfNSW concurrence provided for DA/841/2017 is not to be amended, replaced or superseded by any concurrence issued by any other rail authority, without further agreement from TfNSW.

Reason: To comply with the requirements of Transport for NSW.

Stormwater and engineering

- ~~19.15.~~ All stormwater must be connected to the stormwater system and OSD approved under DA/841/2017 and utilise primary and tertiary filtration devices approved under DA/841/2017.

Reason: To ensure satisfactory stormwater disposal and to ensure appropriate water quality treatment measures are in place.

Waste

~~20-16.~~ A waste storage room is to be provided on the premises and shall be constructed to comply with all the relevant provisions of Council's Development Control Plan (DCP) 2011 including:

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

Reason: To ensure provision of adequate waste storage arrangements.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

Standard Conditions

~~24-17.~~ 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 and Assessment Act 1979, as amended and the Environmental Planning and Assessment Regulation 2000.

~~22-18.~~ 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, the National Construction Code 2013 and the recommendations contained within the 'Access Review Scheme 1.1' (rev.: A), prepared by Morris Goding Access Consulting dated 26 October 2017 and the statement prepared by Morris Goding Access Consulting dated 22 August 2019. Detailed plans, documentation and specification must accompany the application for a Construction Certification to the satisfaction of the Certifying Authority.

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

~~23. Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to receive written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having the benefit of this consent are required to forward the written confirmation from NDBYD to their Principal Certifying Authority (PCA) prior to any excavation occurring.~~

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

~~24-19.~~ Prior to the issue of a relevant Construction Certificate, where work is likely to disturb or impact upon a utility installations, (e.g. power pole, telecommunications infrastructure etc.), written confirmation from the affected utility provider that they raise no objections to the proposed works must

[accompany an application for a Construction Certificate](#) be provided to the satisfaction of the Certifying Authority.

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

[25-20.](#) External materials must be pre colour coated on manufacture having a low glare and reflectivity finish. The reflectivity index of roof finishes and glazing is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place. Details demonstrating compliance must be submitted to, and approved by, Council's City Architect prior to issue of the relevant Construction Certificate.

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

Design Excellence

[26-21.](#) Prior to the issue of the relevant Construction Certificate, the following detail must be submitted to, and approved by, Council's City Architect, Design Excellence Jury and Independent Environmentally Sustainable Development consultant:

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

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

[27-22.](#) Prior to the release of the relevant construction certificate the applicant shall submit for the approval of the City Architect, key cross sections, partial plans and partial elevations through external walls, balconies, pergolas and other key external details. Drawings are to be fully annotated at a scale of 1:50 (or if necessary 1:20) showing details, materials, finishes and colours, so that the details and materiality of the external facades are clearly documented.

Revised 3D photomontages should also be submitted. The development shall be completed in accordance with the plans approved to satisfy this condition.

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

Fees and charges

[28-23.](#) The Construction Certificate is not to be issued unless the Certifying Authority is satisfied the required levy payable, under Section 34 of the Building and Construction Industry Long Service Payments Act 1986, has been paid.

Reason: To ensure that the levy is paid.

[29-24.](#) An Environmental Enforcement Service Charge must be paid to Council, [or evidence provided that this fee has already been paid for the site](#), prior to the issue of a Construction Certificate. The fee will be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

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

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

[30-25.](#) An Infrastructure and Restoration Administration Fee must be paid to Council, [or evidence provided that this fee has already been paid for the site](#), prior to the issue of a Construction Certificate.

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

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

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

34-26. A monetary contribution comprising \$2,466,534.75 is payable to City of Parramatta Council in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the *Parramatta City Centre Civic Improvement Plan (Amendment No. 4)*. Payment must be by EFTPOS, bank cheque or credit card only.

The contribution is to be paid to Council prior to the issue of a construction certificate.

At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.

Parramatta City Centre Civic Improvement Plan (Amendment No. 4) can be viewed on Council's website at:

<https://www.cityofparramatta.nsw.gov.au/businessdevelopment/planning/development-contributions>

Reason: To comply with legislative requirements and to provide for the increased demand for public amenities and services resulting from the development.

Roads and Maritime Services (RMS)

32-27. A Construction Traffic Management Plan (CTMP) shall be submitted in consultation with the TfNSW Sydney Coordination Office (SCO), Roads and Maritime, and City of Parramatta Council, prior to the issue of a Construction Certificate. The CTMP needs to include, but not be limited to, the following: construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control, taking into consideration the cumulative traffic impacts of other developments in the area.

Reason: To ensure compliance with requirements of RMS.

Stormwater and engineering

33-28. All roof water and surface water is to be connected to an operable drainage system. Details are to be shown on the plans and documentation accompanying the application for the relevant Construction Certificate.

Reason: To ensure satisfactory stormwater disposal.

34-29. The building must be designed and certified by a registered structural engineer to ensure the building does not fail due to floodwater forces, debris and buoyancy effects from flooding in events up to the 1 in 100 year level plus 500mm freeboard.

Reason: To ensure the structure can withstand flooding impacts.

Sustainability

35-30. Prior to the issue of the relevant Construction Certificate, the following must be demonstrated to the satisfaction of the Principal Certifying Authority:

- (a) The building must achieve a 5-star Green Star Design as-built rating. Evidence is to be provided in accordance with the Design Review certified rating of the Green Building Council of Australia.
- (b) A dual reticulation (dual pipe) system is to be installed of sufficient size and capacity to supply all potable and non-potable water uses for the building including single connection point at the boundary of the site for connection to a future recycled water scheme.
- (c) The building will be designed to achieve a 4 star NABERS water rating.
- (d) LED lighting must be provided throughout the building.
- (e) Outdoor air ventilation rates must exceed the minimum requirements of AS1668.2 2012 by 50%.
- (f) All lifts must be gearless with regenerative drives. Passenger lifts to have destination control.
- (g) Solar photovoltaic generation must be installed to the extent indicated for the roof and lift motor room roof as outlined on approved drawing ref: DA2-16 A and DA2-17 A.
- ~~(h) The carpark levels are to be naturally ventilated to the fullest extent possible under the NCC BCA.~~
- ~~(i)~~(h) The building will be designed and constructed to operate at a minimum NABERS Energy rating of 5.5 stars without accounting for any Green Power used in the building and a corresponding Commitment Agreement be entered into with NSW Office of Environment and Heritage.

Reason: To ensure sustainable development outcomes are achieved.

Glare and reflectivity

~~36.31.~~

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prior to the issue of the relevant construction certificate, further analysis of the tower façade must be submitted to ensure solar reflections do not impact onto approaching motorists, train drivers or pedestrians.

Details demonstrating compliance are to be submitted to, and approved by, Council's Group Manager Development and Traffic Services Unit (DTSU) in consultation with Council's City Architect and other relevant sections, prior to the issue of the relevant construction certificate.

Should specular type reflections be identified that exceed a reasonable disability glare and discomfort thresholds, additional elements (such as fins, or a similar suitable solution) should be included to mitigate sources of glare.

Reason: To have a minimal impact on road users and users of the public domain.

Sydney Trains

~~37.32.~~

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prior to the issuing of a Construction Certificate, the Applicant is to submit to Sydney Trains certification from a Geotechnical and Structural Engineer that the footings/piles of the development in accordance with development consent DA/841/2017 for the same site can accommodate the additional levels under this consent and that there will be no additional impacts on the adjoining rail corridor or rail infrastructure.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

~~38.33.~~

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

- Machinery to be used during excavation/construction.
- If advised by Sydney Trains, track monitoring plan

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

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

39-34.

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

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

40-35.

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

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

41-36.

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f required, prior to the issue of a Construction Certificate, the Applicant is to contact Sydney Trains Engineering Management Interfaces team to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Engineering Management Interfaces to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

42-37.

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f required, prior to the issue of a Construction Certificate, the Applicant is to contact Sydney Trains Engineering Management Interfaces to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

43-38.

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rior to the issuing of a Construction Certificate, the Applicant is to submit to Sydney

Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

44-39. C

opies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains must be submitted to Council for its records prior to the issuing of a Construction Certificate.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

Sydney Water

45-40.

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

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

The Tap in™ service provides 24/7 access to a range of services, including:

- Building plan approvals
- Connection and disconnection approvals
- Diagrams
- Trade waste approvals
- Pressure information
- Water meter installations
- Pressure boosting and pump approvals
- Changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water Tap in™ online service is available at:

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

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

PRIOR TO WORK COMMENCING

Standard Conditions

46-41.

Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:

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

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

Reason: To comply with legislative requirements.

47.42. The site must be enclosed by a 1.8m high security fence, if a hoarding is not provided, erected wholly within the confines of the site to prevent unauthorised access. The fence must be installed to the satisfaction of the Principal Certifying Authority prior to the commencement of any work on site.

Reason: To ensure public safety.

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

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

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

This condition does not apply where works are being carried out inside an existing building.

Reason: Statutory requirement.

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

Reason: To ensure adequate toilet facilities are provided.

50.45. 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.

Stormwater and engineering

51.46. Erosion and sediment control measures are to be installed, or retained from works relating to DA/841/2017, 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.

52.47. Prior to commencement of works, and during construction works, the development site and any road verge immediately in front of the site must be maintained in a safe and tidy manner. In this regard the following must be undertaken:

- (a) all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
- (b) all site boundaries are to be secured and maintained to prevent unauthorised access to the site;
- (c) all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis;
- (d) the site is to be maintained clear of weeds; and
- (e) all grassed areas are to be mowed on a monthly basis.

Reason: To ensure public safety and maintenance of the amenity of the surrounding environment.

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

- (a) On-street mobile plant:
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.
- (d) Kerbside restrictions - construction zones:

The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

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

Reason: Proper management of public land.

Sydney Trains

54.49. If required by Sydney Trains, prior to the commencement of works, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

Traffic and transport

55.50. Prior to the commencement of any works on site (excluding exploratory and investigative works), the applicant must submit a Construction Pedestrian and Traffic Management Plan to the satisfaction of Council's Traffic and Transport Manager and the Transport for NSW Sydney Coordination Office. The following matters must be specifically addressed in the Plan:

Construction Management Plan for the Site. A plan view of the entire site and frontage roadways indicating:

- (a) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- (b) Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
- (c) The locations of proposed Work Zones in the egress frontage roadways,
- (d) Location of any proposed crane standing areas,
- (e) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- (f) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- (g) The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
- (h) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
- (i) A detailed description of locations that will be used for layover for trucks waiting to access the construction site.
- (j) Proposed construction hours;
- (k) Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements;
- (l) Construction program that references peak construction activities and proposed construction 'Staging';
- (m) Any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
- (n) Cumulative construction impacts of projects in the Parramatta CBD. Should any impacts be identified, the duration of the impacts; and
- (o) Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified.

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

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

Traffic Control Plan(s) for the site:

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

Where applicable, the plan must address the following:

- (iii) Evidence of Roads and Maritime Services concurrence where construction access is provided directly or within 20 m of an Arterial Road,
- (iv) A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
- (v) Minimising construction related traffic movements during school peak periods.

The Construction and Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition.

Reason: To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures the ongoing safety and protection of people.

~~56. The applicant must apply for a road opening permit where a new pipeline is proposed to be constructed within or across Council owned land. Additional road opening permits and fees may be necessary where connections to public utilities are required (e.g. telephone, electricity, sewer, water or gas).~~

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

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

DURING WORK

Standard Conditions

~~57-51.~~ 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.

~~58-52.~~ Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Council's Guidelines for Controlling Dust from

Construction Sites and Section 126 of the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

~~59-53.~~ 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.

~~60-54.~~ A

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: 8.00am 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.

~~61-55.~~ 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 effect;
- (d) Nature of the complaints;

- (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complainant; and
- (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

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

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

62-56. 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.

Stormwater and engineering

63-57. 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.

Roads and Maritime Services (RMS)

64-58. ^A ~~II demolition and~~ construction vehicles are to be contained wholly within the site (including any approved work zone) and vehicles must enter the site before stopping.

Reason: To ensure compliance with requirements of RMS.

Sydney Trains

65-59. Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

66-60. The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issuing of an Occupation Certificate the Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing or barrier along the rail corridor boundary with the development site. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

Traffic and transport

~~67-61.~~ 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 works.

Reason: To ensure proper management of Council assets.

~~68-62.~~ Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.

Reason: To ensure maintenance of Council's assets.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

Standard Conditions

~~69-63.~~ Prior to the issue of the relevant Occupation Certificate, an Occupation Certificate must be issued for DA/847/2017.

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

~~70-64.~~ Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979.

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

~~71-65.~~ Prior to the issue of an Occupation Certificate, a 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.

Design Excellence

~~72-66.~~ Council's Design Competition Panel (Design Excellence Jury) shall review and comment on the completed development prior to the issue of an Occupation Certificate to ensure design integrity. Where the Jury identifies matters which are not satisfactory, resolution shall be required prior to the issue of the Occupation Certificate.

Reason: To ensure the proposal achieves design excellence.

Sydney Trains

~~73-67.~~ Prior to the issuing of an Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property or easements, unless agreed to be these authorities. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

~~74-68.~~ The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issuing of an Occupation Certificate the Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

Sydney Water

~~75-69.~~ A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water prior to the issue of any Occupation Certificate.

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

Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

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

Traffic and transport

~~76-70.~~ Prior to the issue of an Occupation Certification, the Principal Certifying Authority is to be satisfied that the facilities provided on site are in accordance with the Green Travel Plan (reference 161403 TAAE, revision 2) prepared by Taylor Thomson Whitting and dated 22 August 2019

Reason: To ensure implementation of the Green Travel Plan.

Waste

~~77-71.~~ Prior to issue of the occupation certificate, the applicant shall enter into a commercial contract for the collection of trade wastes and recyclable materials arising from business operations on site. A copy of all waste contracts and receipts shall be kept on site and made available to Council officers on request.

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

~~78-72.~~ Prior to the issue of any occupation certificate, evidence that a waste collection service contractor has been engaged to service the site shall be submitted to the satisfaction of the PCA.

Reason: To ensure a waste collection service is commenced at the time of occupation of the development.

~~79. Adequate ventilation to the waste storage room shall be provided in accordance with the requirements of the Building Code of Australia. Certification that the system functions in accordance with Australian Standard AS 1668 is to be provided to the certifying authority prior to occupation of the premises.~~

~~**Reason:** To ensure compliance with BCA requirements.~~

THE USE OF THE SITE

Standard Conditions

~~80-73.~~ No goods are to be stored/displayed outside the walls of the building.

Reason: To ensure visual amenity.

~~81-74.~~ 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.

~~82-75.~~ Roller shutters are not to be placed over any external door or window of the premises. Any security grill is to be located on the inside of the glass shop front and must be an open grill able to be seen through.

Reason: To provide an appropriate streetscape appearance.

~~83-76.~~ No materials, goods or vehicles associated with the use of the premises are to be stored or displayed on or within the street reserve or other public area.

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

~~84-77.~~ Any use of the premises as a Place of Public Entertainment is subject to further approval of Council.

Reason: To protect the amenity of the area.

Acoustic

~~85-78.~~ The use of the premises not giving rise to:

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

Reason: To prevent loss of amenity to the area.

~~86-79.~~ 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.

~~87-80.~~ Any external plant/air-conditioning system must not exceed a noise level of 5dBA above the background noise level when measured at the boundaries of the property.

Reason: To minimise noise impact of mechanical equipment.

~~88-81.~~ Servicing, deliveries and the like are not to occur between the hours of 10:00pm and 7:00am, 7 days a week.

Reason: To protect the amenity of the area.

Sustainability

89-82. The applicant shall undertake a formal Green Star Design and As Built rating within 18 months of practical completion and submit the results to the City of Parramatta.

Reason: To ensure sustainable development outcomes are achieved.

90-83. The applicant shall undertake a formal NABERS Water rating within 18 months of the building achieving 75% commercial occupancy and submit the results to the City of Parramatta.

Reason: To ensure sustainable development outcomes are achieved.

91-84. The applicant shall undertake a formal NABERS Energy Rating within 18 months of the building achieving 75% commercial occupancy, and submission of the rating result to the City of Parramatta.

Reason: To ensure sustainable development outcomes are achieved.

Traffic and transport

92-85. All loading and unloading must take place within the designated loading areas on the subject property.

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

93-86. All vehicles are to enter and exit the site in a forward direction. In addition, all vehicles are to be wholly contained on site before being required to stop.

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

94-87. The Green Travel Plan, required by these conditions, shall be displayed throughout the commercial areas of the site (at least one copy on each floor).

Reason: To discourage trips by private vehicle.

Waste

95-88. 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.

96-89. All waste storage areas are to be maintained in a clean and tidy condition at all times.

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

97-90. Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.

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