

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

| <b>Drawing N<sup>o</sup></b>   | <b>Dated</b> |
|--|--------------|
| <b>Site Plan</b><br>Project No. CTL0303 Drawing DA001 Issue 04<br>prepared by Paynter Dixon  | 26/10/2018   |
| <b>Basement 3</b><br>Project No. CTL0303 Drawing DA140 Issue 07<br>prepared by Paynter Dixon   | 26/10/2018   |
| <b>Basement 2</b><br>Project No. CTL0303 Drawing DA141 Issue 07<br>prepared by Paynter Dixon   | 26/10/2018   |
| <b>Basement 1</b><br>Project No. CTL0303 Drawing DA142 Issue 08<br>prepared by Paynter Dixon   | 6/12/2018    |
| <b>Ground Floor Plan</b><br>Project No. CTL0303 Drawing DA143 Issue 10/B<br>prepared by Paynter Dixon  | 29/03/19     |
| <b>First Floor Plan</b><br>Project No. CTL0303 Drawing DA144 Issue 07<br>prepared by Paynter Dixon   | 6/12/2018    |
| <b>Roof Plan</b><br>Project No. CTL0303 Drawing DA145 Issue 06<br>prepared by Paynter Dixon  | 6/12/2018    |
| <b>Elevations</b><br>Project No. CTL0303 Drawing DA200 Issue 05<br>prepared by Paynter Dixon   | 6/12/18      |
| <b>Sections Sheet 1</b><br>Project No. CTL0303 Drawing DA300 Issue 07/A<br>prepared by Paynter Dixon   | 29/03/19     |
| <b>Sections Sheet 2</b><br>Project No. CTL0303 Drawing DA301 Issue 06<br>prepared by Paynter Dixon   | 6/12/18      |
| <b>Photomontages</b><br>Project No. CTL0303 Drawing DA900 Issue 05<br>prepared by Paynter Dixon  | 6/12/18      |
| <b>Landscape Plans</b><br>Drawing No. LPS4.55 17 - 256 – Revision F Page 1<br>Drawing No. LPS4.55 17 - 256 – Revision F - Page 2<br>Drawing No. LPS4.55 17 - 256 – Revision F - Page 3<br>Drawing No. LPS4.55 17 - 256 – Revision F - Page 4<br>prepared by Conzept Landscape Architects | 31.10.18     |

| <b>Drawing N°</b>  | <b>Dated</b> |
|--|--------------|
| <b>Gate 1 Options</b><br>Project No. CTL 0303 prepared by EJE architecture   | 27/11/2018   |
| <b>Drainage Plans</b><br>Project No. 5565001, Drawing No. C1.01 – Issue 1<br>Project No. 5565001, Drawing No. C1.02 – Issue 1<br>Project No. 5565001, Drawing No. C2.01 – Issue 1<br>Project No. 5565001, Drawing No. C2.02 – Issue 1<br>Project No. 5565001, Drawing No. C6.01 – Issue 1<br>Project No. 5565001, Drawing No. C6.02 – Issue 1<br>Project No. 5565001, Drawing No. C6.03 – Issue 1<br>Project No. 5565001, Drawing No. C6.04 – Issue 1<br>prepared by Warren Smith & Partners Pty Ltd | 08/10/18     |

| <b>Document N°</b>  | <b>Dated</b>     |
|---|------------------|
| Access Report prepared by ILC Access  | 20/11/2013       |
| Arborist Report prepared by Australis Tree Management – Version 2 (as amended by conditions of this consent)            | 29 July 2013     |
| Crime Prevention Assessment prepared by Barrington Corporate Risk   | 27 March 2013    |
| Environmental Noise Impact Assessment – Document Reference 20130130.3/2611A/R4/GW Revision 4 prepared by Acoustic Logic | 26 November 2013 |
| Heritage Impact Statement prepared by Urbis   | December 2013    |
| Heritage Impact Statement for Modification Application prepared by GML Heritage   | 29 October 2018  |
| Heritage Impact Statement for Modification Application prepared by GML Heritage   | 11 December 2018 |
| Non-Aboriginal Archaeological Assessment prepared by Artefact   | November 2013    |
| Waste Management Plan   | 28 June 2019     |
| Social Impact Assessment – Job Code SPP00114 prepared by Urbis  | March 2014       |

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| Document N <sup>o</sup>   | Dated        |
|---|--------------|
| Exterior Finishes Board – Issue P1  | 19 July 2013 |
| Stage 1 Environmental Site Assessment – Report No. E22127 AA prepared by Environmental Investigations         | 14/03/2014   |
| Arts and Cultural Plan – Issue A prepared by Site Image Public Art Consultants                                | March 2014   |
| Acid Sulfate Soil Assessment & Management Plan prepared by Environmental Investigations – Report No. E1948 AA | 31/10/2013   |

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

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

*(Conditions 1 modified by DA/805/2013/D)*

***(Condition 1 modified by DA/805/2013/E)***

2. The development shall be constructed within the confines of the property boundary. No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

**Reason:** To ensure no injury is caused to persons.

3. With the exception of any approved boundary fencing, no portion of the proposed structure including any fencing and/or gates shall encroach onto or over adjoining properties.

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

4. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or an Accredited Certifier. Plans and documentation submitted with the Construction Certificate are to be amended to satisfy all relevant conditions of this development consent.

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

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5. All building work must be carried out in accordance with the current provisions of the Building Code of Australia.  
**Reason:** To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.
  6. All roof water and surface water is to be connected to an approved drainage system complying with Council's specifications and policy requirements. The stormwater discharge pipe shall be connected by complying in general with the approved drainage plan prepared by Wood & Grive Engineers Ltd dated 25/06/2014.  
**Reason:** To ensure satisfactory stormwater disposal.
  7. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600 mm in height or within 900 mm of any property boundary.  
**Reason:** To minimise impact on adjoining properties.
  8. All works/regulatory signposting associated with the proposed development are to be at no cost to the RMS or Council.  
**Reason:** To ensure works are not at the cost of the RMS or Council.
  9. The proposed development must not incorporate provision for the permanent or semi-permanent pumping of groundwater seepage from below-ground areas. A fully tanked structure must be used.  
**Reason:** To protect the groundwater flows.
  10. Approval is granted for the demolition of all buildings and outbuildings currently on the property, 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.
    - (b) 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

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premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.

- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to Parramatta City Council 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.
- (d) On the first day of demolition, work is not to commence until Parramatta City Council 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.
- (e) 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.
- (f) 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.
- (g) 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.
- (h) 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".
- (i) Demolition is to be completed within 90 days of commencement.

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- (j) 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.
  - (k) 1.8m high protective fencing is to be installed to prevent public access to the site.
  - (l) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
    - (i) Proposed ingress and egress of vehicles to and from the construction site;
    - (ii) Proposed protection of pedestrians adjacent to the site;
    - (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.
  - (m) 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).
  - (n) Before demolition works begin, adequate toilet facilities are to be provided.
  - (o) After completion, the applicant must notify Parramatta City Council within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
  - (p) 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
  - (q) 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.
  - (r) 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.

11. Trees to be retained are:

| Tree No | Name                       | Common Name       | Location   | DBH<br>Diameter at breast height (mm) | Tree Protection Zone (m) |
|---------|----------------------------|-------------------|--|---------------------------------------|--------------------------|
| 14      | <i>Corymbia citriodora</i> | Lemon scented Gum | Located within entrance to Parramatta Park. Refer to arborist report | 450mm                                 | 5.4m                     |

|    |                                |                   |  |        |       |
|----|--------------------------------|-------------------|--|--------|-------|
|    |                                |                   | and survey   |        |       |
| 16 | <i>Corymbia citriodora</i>     | Lemon scented Gum | Located within entrance to Parramatta Park. Refer to arborist report and survey                  | 250mm  | 3m    |
| 17 | <i>Eucalyptus tereticornis</i> | Forest Red Gum    | Located on the boundary of Parramatta park and subject site. Refer to arborist report and survey | 1000mm | 12m   |
| 18 | <i>Brachychiton populneus</i>  | Kurrajong         | Located within Parramatta Park. Refer to arborist report and survey                              | 700mm  | 8.4m  |
| 19 | <i>Syncarpia glomulifera</i>   | Turpentine        | Located within Parramatta Park. Refer to arborist report and survey                              | 400mm  | 4.8m  |
| 20 | <i>Corymbia maculata</i>       | Spotted Gum       | Located on the boundary of Parramatta park and subject site. Refer to arborist report and survey | 850mm  | 10.2m |
| 21 | <i>Eucalyptus sideroxylon</i>  | Ironbark          | Located on the boundary of Parramatta park and subject site. Refer to arborist report and survey | 500mm  | 6m    |
| 22 | <i>Quercus palustris</i>       | Pin Oak           | Located within Parramatta Park. Refer to arborist report and survey                              | 700mm  | 8.4m  |
| 23 | <i>Quercus palustris</i>       | Pin Oak           | Located within Parramatta Park. Refer to arborist report and survey                              | 900mm  | 10.8m |
| 24 | <i>Alnus sp.</i>               | Evergreen Alder   | Located within Parramatta Park. Refer to arborist report   | 350mm  | 4.2m  |

|    |                             |                 |   |        |      |
|----|-----------------------------|-----------------|---|--------|------|
|    |                             |                 | and survey  |        |      |
| 25 | <i>Alnus sp.</i>            | Evergreen Alder | Located within Parramatta Park. Refer to arborist report and survey | 250mm  | 3m   |
| 26 | <i>Lagerstroemia indica</i> | Crepe Myrtle    | Located within Parramatta Park. Refer to arborist report and survey | 200mm  | 2.4m |
| 27 | <i>Lagerstroemia indica</i> | Crepe Myrtle    | Located within Parramatta Park. Refer to arborist report and survey | 200mm  | 2.4m |
| 28 | <i>Quercus palustris</i>    | Pin Oak         | Located within Parramatta Park. Refer to arborist report and survey | 700mm  | 8.4m |
| 29 | <i>Agonis flexulosa</i>     | Willow Myrtle   | Located within Parramatta Park. Refer to arborist report and survey | 1000mm | 12m  |
| 30 | <i>Cedrus deodara</i>       | Himalayan Cedar | Located within Parramatta Park. Refer to arborist report and survey | 600mm  | 7.2m |

**Reason:** To protect significant trees which contribute to the landscape character of the area

#### **Office of Environment & Heritage Conditions:**

12. The proponent must ascertain if Aboriginal objects are located within the proposed development area. OEH's preference is that harm to Aboriginal objects is avoided as a result of the proposed development. However, if this is not possible and Aboriginal objects will be harmed as a result of this development, a s90 Aboriginal Heritage Impact Permit (AHIP) must be sought and granted prior to the commencement of works.

Consultation with the Aboriginal community undertaken as part of an AHIP application must be in accordance with the Aboriginal Cultural Heritage Community Consultation Requirements for Proponents 2010.

**Reason:** To comply with the General Terms of Approval issued by the Office of Environment and Heritage.



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13. The following requirements of the Heritage Division of the Office of Environment and Heritage are to be complied with prior to the issue of any Construction Certificate:
- (a) An excavation permit under Section 140 of the NSW Heritage Act must be submitted to the NSW Heritage Council prior to any below ground works commencing. This application must be accompanied by the Archaeological Assessment and an appropriate Archaeological Methodology and Research Design for the site.
  - (b) Where substantially intact State significant archaeological relics are encountered, excavation works must cease. An assessment of the heritage value of the relics is then to be undertaken to determine the physical extent of the relics deemed State significant. An appropriately qualified structural or civil engineer is then to be retained to prepare a report **in consultation with the Archaeological Excavation Director** on the feasibility of retaining the State significant relics. The engineer's report is to be provided to Council's Manager, Development and Traffic Services, who will determine whether the approved development plans are to be amended. Prior to this determination being made, the engineer's report is to be provided **to the NSW Heritage Council (or its Delegate), and the NSW Heritage Council (or its Delegate's) recommendations** are to be taken into account in the determination.
  - (c) The Applicant must ensure that at the completion of archaeological works, the results of the archaeological programme are interpreted within the completed redevelopment of the site. This interpretation should help the public understand the history and significance of the site.
  - (d) Throughout on site development works the Applicant must ensure that appropriate signage to explain the history and significance of the site is placed at the site.

**Reason:** To comply with the requirements of the Heritage Division of the Office of Environment and Heritage.

**Roads & Maritime Services Condition:**

14. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to RMS for assessment, in accordance with Technical Direction GTD2012/001. The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by RMS.

The report and any enquiries should be forwarded to:

Project Engineer, External Works  
Sydney Asset Management  
Roads and Maritime Services  
PO Box 973 Parramatta CBD 2124.  
Telephone 8848 2114  
Fax 8849 2766

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days' notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

**Reason:** To comply with the requirements of the NSW Roads and Maritime Services.

**Prior to the release of a Construction Certificate:**

15. The existing boundary fencing along O'Connell Street and Macquarie Street is to be restored. Details on the restoration of the fencing are to be submitted to the written satisfaction of Council's Heritage Advisor before the issue of a Construction Certificate. Details are also to include the areas of fence removal and how the fencing will be protected from the impacts of humidity. Any approved parts of the sandstone wall to be removed should be carefully relocated and stored on the site for potential future reuse.

**Reason:** To restore the heritage fencing.

- 15A. Prior to the issue of the first Construction Certificate for work to which this consent relates, the applicant shall enter into a Voluntary Planning Agreement with Council in the terms of the offer made to Council by the applicant on 11 March 2016 in connection with the subject development application.

**Reason:** To comply with Council's requirements and confirm the details of the application.

- 15B. Prior to the issue of the first Construction Certificate for work to which this consent relates, the Voluntary Planning Agreement must be lodged for registration on the relevant folios Torrens Title Register held by the NSW Office of Land and Property Information pertaining to the land. Evidence of the lodgement of the Voluntary Planning Agreement is to be provided to Council's satisfaction before the issue of a Construction Certificate.

Reason: To ensure the Voluntary Planning Agreement is appropriately registered.

- 15C. The Principal Certifying Authority must be satisfied that the relevant terms and conditions of the Voluntary Planning Agreement referred to in Conditions 15A and 15B have been satisfied before the issue of any relevant Construction Certificate or Occupation Certificate.

Reason: To ensure the terms and conditions of the Voluntary Planning Agreement are met.

*(Conditions 15A to 15C added by DA/805/2013/B)*

16. Details regarding the proposed boundary fencing to Parramatta Park are to be submitted to the written satisfaction of Council before the issue of a Construction Certificate. Details are to include the type of fencing, location and methods of construction. An AQF5 arborist report is to be submitted with the fencing details that demonstrates the proposed fencing will not result in any detrimental impact upon retained trees within the vicinity of the proposed fence. Evidence indicating agreement of the final fence design with the Parramatta Park Trust and the Office of Environment and Heritage is also to be submitted prior to Council's agreement.

**Reason:** To ensure all parties agree on the boundary fencing to be constructed, and that this fencing does not impact upon any retained trees.

17. Details of the surface treatment of the ground floor car parking area are to be submitted to the satisfaction of Council before the issue of a Construction Certificate. In this regard, consideration is to be given to different materials and colours to soften the appearance of the hard surface.

**Reason:** To ensure the car park materials are compatible with the adjoining heritage item.

18. The recommendations within the following documents submitted with the application are to be incorporated within the Construction Certificate documentation to the satisfaction of the Principal Certifying Authority before the issue of any Construction Certificate:

| Document   | Date          |
|--|---------------|
| Access Report prepared by ILC Access   | 20/11/2013    |
| Crime Prevention Assessment prepared by Barrington Corporate Risk (Part 4 – Risk Treatment Plan and mitigation measures) | 27 March 2013 |

|  |                  |
|--|------------------|
| Environmental Noise Impact Assessment – Document Reference 20130130.3/2611A/R4/GW Revision 4 prepared by Acoustic Logic (Part 5 Recommendations) | 26 November 2013 |
| Social Impact Assessment – Job Code SPP00114 prepared by Urbis (Section 7 mitigation measures)   | March 2014       |
| Stage 1 Environmental Site Assessment – Report No. E22127 AA prepared by Environmental Investigations (Section 7 recommendations)                | 14/03/2014       |
| Acid Sulfate Soil Assessment & Management Plan prepared by Environmental Investigations – Report No. E1948 AA (Section 10)                       | 31/10/2013       |

**Reason:** To confirm the details of the application.

19. Documentary evidence confirming that the applicant has consulted with the energy provider with respect to the easements and restrictions currently on the land, is to be provided to the Principal Certifying Authority prior to the issuing of any Construction Certificate. Any retained or modified easements or restrictions are not to impact upon the landscaped areas approved on the site.

**Reason:** To ensure adequate consultation is carried out with the energy provider regarding existing easements and restrictions on the site.

20. The submission of a final Landscape Plan to the Principal Certifying Authority, prior to the release of the Construction Certificate. The final Landscape Plan shall address the following requirements:

- (a) The replacement of *Angophora floribunda* (Rough-barked Apple) with *Corymbia maculata* (Spotted Gum).
- (b) The proposed bio-retention basin shall be included within the landscape documentation. The planting palette within the basin shall reflect WSUD requirements.
- (c) All landscape plans are to be prepared by a professionally qualified landscape architect or designer.

**Reason:** To ensure that appropriate landscaping is implemented.

21. Access for people with disabilities from the public domain and all car parking areas on site to all required areas within the building are to be provided. Consideration must be given to the means of dignified and equitable access from public places to adjacent buildings, to other areas within the building and to footpath and roads. Compliant access provisions for people with disabilities shall be clearly shown on the

plans submitted with the Construction Certificate. All details shall be prepared in consideration of, and construction completed to achieve compliance with the Building Code of Australia Part D3 "Access for People with Disabilities", provisions of the Disability Discrimination Act 1995, and the relevant provisions of AS1428.1 (2001) and AS1428.4.

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

22. Toilet facilities shall be provided for disabled persons in accordance with the design criteria in AS1428.1 (2001) - Design for Access and Mobility - General Requirements for Access - New Building Work. This requirement shall be reflected on the Construction Certificate plans.

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

23. Signs incorporating the international symbol of access for disabled persons must be provided to identify each accessible:

- (a) entrance
- (b) lift or bank of lifts; and
- (c) sanitary facility

This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

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

24. An *Environmental Enforcement Service Charge* is to be paid to Council prior to the issue of a Construction Certificate. The fee paid is to 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.

25. An *Infrastructure and Restoration Administration Fee* is to be paid to Council prior to the issue of a Construction Certificate. The fee to be paid is to 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.

26. Deleted as per DA/805/2013/B.

27. In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, security bonds are required to be submitted to Council to guarantee 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 (being a Hoarding application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate has not been issued or not required.

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

Should a bank guarantee be the proposed method of submitting a security bond it must:

- a) Have no expiry date;
- b) Be forwarded direct from the issuing bank with a cover letter that refers to Development Consent DA/805/2013;
- 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

#### **Nature strip and roadway \$40,000**

A dilapidation report is required to be prepared prior to any work or demolition commencing. This is required to be submitted to Parramatta City Council with the payment of the bond/s to the Civil Assets Unit. The dilapidation report is required to report on any existing damage to kerbs and roads by all street frontage/s of the development site to the centre of the road.

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**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.

28. Parking spaces are to be provided in accordance with the approved plans referenced in condition 1, to comply with AS 2890.1 and AS 2890.6. Spaces 1 and 150 on Basement Level 3 are to be reserved for staff due to the difficulty accessing these spaces. Details are to be illustrated on plans submitted with the Construction Certificate.

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

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

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

30. The raised threshold at the pedestrian activated signals in Macquarie Street fronting the development are to be modified to include bridges over the gutters to Council's satisfaction, so that pedestrian travel is all at the one level. A detailed engineering design plan is to be submitted to Council's Service Manager Traffic and Transport, and Roads and Maritime Services for approval. Plans are to be provided to Council prior to the issue of a Construction Certificate and the raised threshold is to be installed prior to the Occupation Certificate being issued. All costs associated with the improvement works are to be funded by the applicant and at no cost to Council. Note that the checking, advertising and approval process may take approximately 4 months.

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

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

**Note:** No removal of the sandstone boundary fence is permitted.

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

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

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

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

33. No work shall start on the storm water system until the detailed final storm water plans have been approved by the Principal Certifying Authority. Prior to the approval of storm water drainage plans, the person issuing the Construction Certificate shall ensure that:
- a. The final drainage plans are consistent with the Concept Drainage Plan Dwg No. *FIG04 (F), FIG05 & 06 (E), FIG07 (D), FIG08 & 09(B) dated 25/06/204 prepared by 'Wood & Grieve Engineers'* consultants, approved with the Development Consent.  
 Note: *The reference Concept Plans are concept in nature only and not to be used for construction purposes as the construction drawing. Rectified Stormwater plan addressing all the issues with details, and submitted with the application for Construction Certificate to the Principal Certifying Authority for approval).*



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- b. The proposed On-Site Detention (OSD) System has been designed by a suitably qualified Hydraulic Engineer, in accordance with the Upper Parramatta River Catchment Trust "On-Site Detention Handbook" and Council's Drainage Code E4 and stormwater Drainage Guidelines.
- c. The design achieves the following:
- a Site Storage Requirement of 470 m<sup>3</sup>/ha and a Permissible Site Discharge of 80 L/s/ha (as per 3<sup>rd</sup> edition of UPRCT's handbook).
  - When using the Extended/Flood detention method (4<sup>th</sup> edition of UPRCT's handbook), the Site Reference Discharge (Lower Storage), SRD<sub>L</sub> of **40** l/s/ha, Site Storage Requirement (Lower Storage) SSR<sub>L</sub> of **300** m<sup>3</sup>/ha and Site Reference Discharge (Upper Storage), SRD<sub>U</sub> of **150** l/s/ha, Site Storage Requirement (Total) SSR<sub>T</sub> of 455 m<sup>3</sup>/ha as per the submitted OSD calculation.
  - The final drainage plan shall provide a section through the HED chamber and the secondary chamber of the proposed OSD tank with surface and invert levels and indicating the movement of the flow between the chambers towards the discharge outlet pipe of the site.
  - The construction of the on-site detention tank shall be supervised and certified by the drainage engineer to the Principal Certifying Authority to ensure that the proposed system will function properly as intended.
  - The on-site detention tank shall be structurally adequate to take the designated load.
  - The on-site detention system is to be identified with proper signs as per the requirements of the Upper Parramatta River Catchment Trust design handbook.
  - The 375mm diameter stormwater pipe located on the adjoining property is to be relocated to within the subject site (with the exception of the connection), unless approval is obtained for the works from the Parramatta Park Trust.
  - The design of the bioretention basin and the location of any stormwater pipes are not to impact upon the trees to be retained on the site or adjoining property. In this regard, an AQF5 arborist report is to be submitted that demonstrates the stormwater works will not result in any detrimental impact upon these trees.
  - Detailed drainage plans with cross sectional details of OSD storage areas; pits etc, OSD Detailed Design Submission and OSD Detailed Calculation Summary Sheet are submitted and are acceptable.

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

34. Prior to the issue of a Construction Certificate, a detailed design shall be prepared and submitted to the Principal Certifying Authority for the construction of a 2400 x 750mm reinforced concrete box culvert replacing the existing 2 x 1050mm diameter concrete pipes traversing through the site with appropriate headwall and apron structures aligning with the open channel downstream (in consultation with Parramatta Park Trust) requiring Council's Civil Infrastructures Services approval.

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

35. Prior to the issue of a Construction Certificate, longitudinal driveway sections are to be prepared by a qualified civil/traffic engineer and be submitted for to and approved by the Certifying Authority. These profiles are to be at 1:100 scale along both edges of the proposed driveway, starting from the centreline of the frontage street carriageway to the proposed basement floor level. The civil/traffic engineer shall provide specific written certification on the plans that:

- (a) Vehicular access can be obtained using grades of 25% (1 in 4) maximum and
- (b) All changes in grade (transitions) comply with Australian Standard 2890.1 (2004) – "Off-street car parking" to prevent the scraping of the underside of the vehicles.

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

36. Prior to the issue of a Construction Certificate the applicant shall nominate an appropriately qualified civil engineer (at least NPER) to supervise all public area civil and drainage works to ensure that they are constructed in compliance with Council's "Guidelines for Public Domain Works".

The engineer shall:

- (a) provide an acceptance in writing to supervise sufficient of the works to ensure compliance with:
  - (i) all relevant statutory requirements,
  - (ii) all relevant conditions of development consent
  - (iii) construction requirements detailed in the above Specification, and
  - (iv) the requirements of all legislation relating to environmental protection,

- (b) On completion of the works certify that the works have been constructed in compliance with the approved plans, specifications and conditions of approval and,
- (c) Certify that the Works as Executed plans are true and correct record of what has been built.

**Reason:** To ensure works are carried out in accordance with Council requirements.

37. The final Arts Plan (prepared by an artist and including design concepts, site plan for artworks, construction documentation and project management) shall be submitted to, and approved by, Council's Public Arts Officer before the issue of the Construction Certificate.

**Reason:** To provide for high quality artworks and improve the public domain in the CBD.

38. A revised Alignment Plan in accordance with Parramatta City Council's Public Domain Guidelines is to be submitted to the satisfaction of Council's Civil Assets Team before the issue of a Construction Certificate. The Alignment Plan shall incorporate the following:

- (a) improvements to the levels along the Macquarie Street frontage to ensure that footpath grades do not exceed 2.5%
- (b) the footpath upgrade works along the O'Connell Street frontage should not be disturbed during the development construction

**Reason:** To protect the public domain.

39. A Final Public Domain Plan in accordance with Parramatta City Council's Public Domain Guidelines is to be submitted to the written satisfaction of Council's Urban Design Team before the issue of a Construction Certificate. This plan will be informed by the Alignment Plan and is to identify paving layout, paving materials, tree pits and Council's recommended tree type, kerb ramps and TGSIs, and the driveway layout and materials. The plan shall include the following:

- (a) construction of a matching footpath (as per the Public Domain Guidelines) along the entire Macquarie Street frontage.
- (b) the provision of street trees as per the Street Tree Master Plan and Public Domain Guidelines; to comply with DS39. Species are to be *Flindersia australis* on Macquarie Street and *Platanus orientalis* 'Digitata' on O'Connell Street as indicated by the PCC Street Tree Master Plan.

**Reason:** To improve the public domain and confirm the final details of the proposed design.

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40. Detailed plans of any food / beverage preparation facilities and waste storage areas shall be submitted to the principal certifying authority (PCA) prior to the issue of the Construction Certificate.

The fit-out of the food premises shall comply with:

- a) Australian Standard AS4674-2004 - Design, Construction and Fit-out of Food Premises.
- b) Food Safety Standards  
Standard 3.2.2 Food Safety Practices and General Requirements  
Standard 3.2.3 Food Premises and Equipment
- c) The cool rooms shall be provided with safety devices to comply with G1.2 of the BCA.
- d) No approval is granted for any remote storage area.
- e) The business being registered with NSW Food Authority.
- f) Comply with the requirements of Sydney Water – Trade Waste Section (grease trap).

If a Private Certifier is to be used, the final inspection shall be carried out by a suitably qualified person to ensure that food standards are met. Council's Environmental Health Officer may be engaged to carry out the required inspection for a prescribed fee.

**Note:** Copies of AS 4764 may be obtained from Standards Australia  
Copies of the Food Standards Code may be obtained from Australia and New Zealand Food Authority.  
Alternatively, you may obtain a copy of the 'Food premises design, construction and fit-out guide' from Council. This guide is based on the above standards and sets out minimum requirements to achieve compliance.

**Reason:** To ensure design of the premises meets relevant public health standards.

41. The Construction Certificate is not to be released unless the Principal Certifying Authority is satisfied that 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.

42. Documentary evidence confirming that satisfactory arrangements have been made with an energy provider for the provision of electricity supply to the development is to be provided to the Principal Certifying Authority prior to the issuing of any Construction Certificate. If a substation is a requirement of the energy provider, it is to be located

internal to the building/s on site. Substations cannot be located within the front setback of a site or within the street elevation of the building, unless such a location has been indicated and approved on the Council stamped Development Application plans. Substations cannot be located in Council's road reserve.

**Reason:** To ensure adequate electricity supply to the development and to ensure appropriate streetscape amenity.

43. The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifying Authority which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required, prior to the release of the Construction Certificate.

**Reason:** To minimise costs to Council.

44. An updated Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:

- (a) expected volumes and types of waste to be generated during the demolition and construction stages of the development;
- (b) destination of each type of waste, including the name, address and contact number for each receiving facility.

The Waste Management Plan is to be submitted to the satisfaction of the Principal Certifying Authority prior to commencement of any works on site.

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

45. Prior to the commencement of any works on the site the applicant must submit, a Construction and/or Traffic Management Plan to the satisfaction of the Principal Certifying Authority. The following matters must be specifically addressed in the Plan:

- (a) Construction Management Plan for the Site

A plan view of the entire site and frontage roadways indicating:

- i. Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- ii. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,

- iii. The locations of proposed Work Zones in the egress frontage roadways,
- iv. Location of any proposed crane standing areas,
- v. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- vi. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- vii. The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.

**Note:** All vehicles must be legally parked and must not park on any private property or footpaths/nature strips. No construction vehicles are to be parked within the adjoining Parramatta Park unless prior approval has been granted by the Parramatta Park Trust.

(b) Traffic Control Plan(s) for the site:

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

(c) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided and a copy of this route is to be made available to all contractors.

Where applicable, the plan must address the following:

- i. Evidence of RTA concurrence where construction access is provided directly or within 20m of an Arterial Road,
- ii. A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.

- iii. Minimising construction related traffic movements during school peak periods.

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

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

- 46. Where any shoring is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings certified as being adequate for their intended purpose prepared by an appropriately qualified and practising structural engineer, showing all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements, shall be submitted with the Construction Certificate. A copy of this documentation must be provided to the Council for record purposes. Any recommendations made by the qualified practising structural engineer shall be complied with.

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

- 47. Prior to any works commencing on the driveway crossover and prior to the issue of any Occupation Certificate, an application is required for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment which must be obtained from Parramatta City Council. All footpath crossings, laybacks and driveways are to be constructed according to Council's Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with Standard Drawings. A heavy duty vehicular crossing shall be constructed in accordance with Council's Standard Drawing No. [DS9 & DS10].

In order to apply for a driveway crossing, you are required to complete the relevant application form with supporting plans, levels and specifications and pay a fee in accordance with Council's adopted 'Fees and Charges' at the time of payment.

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

regardless of whether the information is shown on the development application plans.

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

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

48. If an excavation associated with the erection or demolition of a building extend below the level of the base of the footings of a building on an adjoining allotment of land; the person causing the excavation to be made; must preserve and protect the building from damage; and if necessary, must underpin and support the building in an approved manner. At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished and submit to the Principal Certifying Authority details of the date and manner by which the adjoining owner(s) were advised.

**Reason:** To control excavation procedures.

49. In order to maximise visibility in the basement carpark, the ceiling shall be painted white. This requirement shall be reflected on the Construction Certificate plans.

**Reason:** To protect public safety.

50. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, storm water drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) see Your Business then Building and Developing then Building and Renovating or telephone 13 20 92. The Principal Certifying Authority must ensure the plans are stamped by Sydney Water prior to works commencing on site.

The PCA must ensure that the plans have been appropriately stamped prior to the issue of any Construction Certificate.

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



**Advisory note:** Please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick Check agents' details - see Building and Developing Then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing Then Building and Renovating or telephone 13 20 92.

51. The proponent shall submit to the Principal Certifying Authority and Council, a Construction Noise Management Plan prior to the issue of the Construction Certificate as described in the NSW Department of Environment, Climate Change and Water Interim Noise Construction Guidelines 2009. The Construction Noise Management Plan must describe in detail the methods that will be implemented during the construction phase of the project to minimise noise impacts on the community.

The Construction Noise Management Plan must include:

- Identification of nearby residences and other sensitive land uses
- Assessment of expected noise impacts
- Detailed examination of feasible and reasonable work practices that will be implemented to minimise noise impacts
- Community Consultation and the methods that will be implemented for the whole project to liaise with affected community members to advise on and respond to noise related complaints and disputes

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

52. It is essential for the development that an additional measure in terms of a flood proof gate shall be installed at the basement ramp entrance crest level (100-year Flood Level plus 500mm). The purpose of this flood proof gate shall be to address impact measures from flooding events reaching towards PMF event flood inundation which will potentially fill the basement car park with flood water. In addition, detailed design of the flood proof gate and maintenance plan shall be submitted to the satisfaction and subsequent approval by i) Certifying Authority and ii) Council, prior to issue of the Construction Certificate and the Final approved copy of Flood Proof Gate Detailed Design & Maintenance Plan shall be submitted to Council for compliance and record purposes.

**Reason:** To ensure satisfactory measures in place for the basement car park from being filled with floodwater

during storm events leading to Probable Maximum Event (PMF) event inundation.

**Prior to Commencement of Works:**

53. Prior to the commencement of any stormwater works within the adjoining Parramatta Park, consent for access is to be obtained from the Parramatta Park Trust.

**Reason:** To obtain legal access on the adjoining property before construction works.

54. The trees identified within the consent to be retained shall be protected prior to and throughout the demolition/construction process in accordance with the tree protection measures contained within the arborist report prepared by Australis Tree Management dated 29 July, 2014 and the relevant conditions of this consent.

**Reason:** To ensure the protection of the tree(s) to be retained on the site.

55. The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on site.

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

56. Prior to the commencement of any excavation works on site the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a geotechnical/civil engineering report which addresses (but is not limited to) the following:

- i. The type and extent of substrata formations by the provision of a minimum of 4 representative bore hole logs which are to provide a full description of all material from ground surface to 1.0m below the finished basement floor level and include the location and description of any anomalies encountered in the profile. The surface and depth of the bore hole logs shall be related to Australian Height Datum.
- ii. The appropriate means of excavation/shoring in light of point (a) above and proximity to adjacent property and structures. Potential vibration caused by the method of excavation and potential

settlements affecting nearby footings/foundations shall be discussed and ameliorated.

- iii. The proposed method to temporarily and permanently support the excavation for the basement adjacent to adjoining property structures and road reserve if nearby (full support to be provided within the subject site).
- iv. The existing groundwater levels in relation to the basement structure, where influenced.
- v. The drawdown effects on adjacent properties (including road reserve), if any, the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater. Where it is considered there is the potential for the development to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development without a change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path is constructed, artificial drains such as perimeter drains and through drainage may be utilised.
- vi. Recommendations to allow the satisfactory implementation of the works. An implementation program is to be prepared along with a suitable monitoring program (as required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction. The implementation program is to nominate suitable hold points at the various stages of the works for verification of the design intent before sign-off and before proceeding with subsequent stages.

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

- i. No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.

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

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

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

- i. all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
- ii. all site boundaries are to be secured and maintained to prevent unauthorised access to the site
- iii. all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis
- iv. the site is to be maintained clear of weeds
- v. all grassed areas are to be mown on a monthly basis

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

58. Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note and provide protection for Council as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

**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 on public land.

59. Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate 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 is appointed within 7 days; and
- (b) notify Council in writing of their intention to commence works (at least 2 days notice is required prior to the commencement of works).

The PCA must determine when inspections and compliance certificates are required.

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

60. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) Stating that unauthorised entry to the work site is prohibited;
- (b) Showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- (c) Showing the name, address and telephone number of the Principal Certifying Authority for the work.
- (d) Showing the approved construction hours in accordance with this development consent.
- (e) Any such sign must be maintained while the excavation building work or demolition work is being carried out, but must be removed when the work has been completed.
- (f) This condition does not apply to building works being carried out inside an existing building.

**Reason:** Statutory requirement.

61. 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 received written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having 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 prevent any damage to underground utility services.

**During Construction or Works:**

62. A copy of this development consent, stamped plans and accompanying documentation is to be retained for reference with the approved plans on-site during the course of any works. Appropriate builders, contractors or sub-contractors shall be furnished with a copy of the notice of determination and accompanying documentation.

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

63. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction in accordance with the requirements of the NSW Department of Environment and Conservation (DEC). Dust nuisance to surrounding properties should be minimised.

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

64. No building materials skip bins, concrete pumps, cranes, machinery, signs or vehicles used in or resulting from the construction, excavation or demolition relating to the development shall be stored or placed on Council's footpath, nature strip or roadway.

**Reason:** To ensure pedestrian access.

65. All plant and equipment used in the construction of the development, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries.

**Reason:** To ensure public safety and amenity on public land.

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

Note – Council may allow extended work hours for properties located on land affected by Parramatta City Centre LEP 2007 in limited

circumstances and upon written application and approval being given by Parramatta City Council at least 30 days in advance.

Such circumstances where extended hours may be permitted include:

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

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

67. The applicant shall record details of all complaints received during the construction period in an up to date complaints register. The register shall 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 shall be made available to Council and/ or the Principal Certifying Authority upon request.

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

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

69. Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

**Reason:** To ensure that building materials are not washed into stormwater drains.

70. Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any

contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and ANZECC standards for water quality.

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

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

71. The Acid Sulfate Soils Management Plan referenced in Condition 1 shall be followed during the works. In the event that soil contamination (eg. odours or coloured and/or oily residues), is intercepted at any time during the proposed works, excavation in that area will temporarily cease. The area shall be isolated with mobile barricades and the principal environmental consultant notified. Representative samples will be screened for VOCs using a PID and analysed according to the EPA (1995) Sampling Design Guidelines and EPA (1994) Minimum Soil Sampling Protocol for suspected contaminants.

**Reason:** To ensure appropriate disposal of waste.

72. Should site soils require excavation and disposal from the site, then these soils shall be classified in accordance with the DECCW (2009) Waste Classification Guidelines and disposed to an approved landfill facility. Any soils to be imported onto the site for the purpose of back-filling excavated areas will also require validation testing following the EPA (1995) Sampling Design Guidelines to confirm their suitability for the proposed land use.

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

73. Foundations adjacent to the drainage easement are to be constructed in accordance with Council's Code "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements".

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

74. Erosion and sediment control devices shall be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices must be maintained throughout the entire demolition, excavation and construction phases of the development.

**Reason:** To ensure soil and water management controls are in place before site works commence.



75. All trees planted as part of the approved landscape plan are to have a minimum 45 litre container size. All shrubs planted as part of the approved landscape plan are to have a minimum 200mm container size.

**Reason:** To provide for appropriate landscaping.

76. Trees to be removed are:

| Tree No | Name                          | Common Name         | Location                            |
|---------|-------------------------------|---------------------|-------------------------------------|
| 1-7     | <i>Syagrus romanzoffianum</i> | Cocos Palm          | Refer to arborist report and survey |
| 8       | <i>Callistemon viminalis</i>  | Weeping Bottlebrush | Refer to arborist report and survey |
| 9       | <i>Corymbia citriodora</i>    | Lemon-scented Gum   | Refer to arborist report and survey |
| 10      | <i>Eucalyptus elata</i>       | River Peppermint    | Refer to arborist report and survey |
| 11      | <i>Cyathea australis</i>      | Tree Fern           | Refer to arborist report and survey |
| 12-13   | <i>Chamaecyparis obtusa</i>   | Hinoki Cypress      | Refer to arborist report and survey |
| 15      | <i>Cupressus torulosa</i>     | Bhutan cypress      | Refer to arborist report and survey |

**Reason:** To confirm the trees to be removed.

77. All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the Draft Tree Work Code of Practice 2007.

**Reason:** To ensure works are carried out in accordance with the Draft Tree Work Code of Practice 2007.

78. The construction of the reinforced concrete box culverts shall be undertaken with the joint supervision with Council Civil Infrastructures Services in order to ensure that construction works complied with Council's asset requirements.

**Reason:** To ensure a proper construction of the drainage system.

79. Occupation of any part of footpath or road at or above (including construction and/or restoration of footpath and/or kerb or gutter) 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 comply with Council requirements.

80. 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 comply with Council requirements.
81. The vehicular entry/exits to the site within Council's road reserve must prevent sediment from being tracked out from the development site. This area must be laid with a non-slip, hard-surface material which will not wash into the street drainage system or watercourse. The access point is to remain free of any sediment build-up at all times.  
**Reason:** To ensure soil and water management controls are in place be site works commence.
82. Any damage to Council assets that impact on public safety during construction is to be rectified immediately to the satisfaction of Council at the cost of the developer.  
**Reason:** To protect public safety.
83. 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 on the property. The applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property pursuant to Section 138 of the Roads Act 1993:
- (a) On-street mobile plant:  
Eg. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, 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 that 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. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space 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 construction zone, 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.

**Reason:** Proper management of public land.

84. All redundant lay-backs and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate. All costs shall be borne by the applicant, and works shall be completed prior to the issue of an Occupation Certificate.

**Reason:** To provide satisfactory drainage.

**Prior to the issue of an Occupation Certificate:**

85. An Occupation Certificate must not be issued unless the building is suitable for occupation or use in accordance with its classification under the Building Code of Australia and until all relevant preceding conditions of this consent have been complied with.

Where Council is not the Principal Certifying Authority, a copy of the Occupation Certificate together with registration fee must be provided to Council.

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

86. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority that is responsible for critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. Where Council is not the PCA, the PCA is to forward a copy of all records to Council.

The record must include details of:

- (a) the development application and Construction Certificate number;
- (b) the address of the property at which the inspection was carried out;
- (c) the type of inspection;
- (e) the date on which it was carried out;
- (f) the name and accreditation number of the certifying authority by whom the inspection was carried out; and

- (g) whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

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

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

88. The applicant shall prepare a specific program of activities and transport options for Club members/guests to meet the needs of people aged 65 years and over who use the facility, and particularly those who have lost their form of recreation on the bowling greens. This plan is to be submitted to the satisfaction of the Principal Certifying Authority before the issue of an Occupation Certificate.

**Reason:** To provide for the needs of the community.

89. The Principal Certifying Authority is to be satisfied that the recommendations within the following documents have been carried out and incorporated within the development before the issue of any occupation certificate:

| <b>Document</b>  | <b>Date</b>      |
|--|------------------|
| Access Report prepared by ILC Access   | 20/11/2013       |
| Crime Prevention Assessment prepared by Barrington Corporate Risk (Part 4 – Risk Treatment Plan and mitigation measures)                         | 27 March 2013    |
| Environmental Noise Impact Assessment – Document Reference 20130130.3/2611A/R4/GW Revision 4 prepared by Acoustic Logic (Part 5 Recommendations) | 26 November 2013 |
| Social Impact Assessment – Job Code SPP00114 prepared by Urbis (Section 7 mitigation measures)   | March 2014       |
| Stage 1 Environmental Site Assessment – Report No. E22127 AA prepared by Environmental Investigations (Section 7 recommendations)                | 14/03/2014       |
| Acid Sulfate Soil Assessment & Management Plan prepared by Environmental Investigations – Report No. E1948 AA (Section 10)                       | 31/10/2013       |

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**Reason:** To ensure the details of the application have been complied with.

90. Works-As-Executed stormwater plans shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate, certifying that the stormwater drainage system has been constructed and completed in accordance with the approved stormwater plans. The person issuing the Occupation Certificate shall ensure that the following documentation is completed and submitted:

- The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate and variations are marked in red ink.
- The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- As built On-Site Detention (OSD) storage volume calculated in tabular form (depth verses volume table).
- OSD Works-As-Executed dimensions' form (refer to UPRCT Handbook).
- Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).
- Approved verses installed Drainage Design (OSD) Calculation Sheet.
- The original Work-As-Executed plans and all documents mentioned above have been submitted to Council's Development Services Unit.

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

91. Work-as-Executed plans for the box culvert completed works are to be prepared by a Registered Surveyor (with Signature & Registration Number) and to be submitted to Council Civil Infrastructures Services for acceptance.

**Reason:** To ensure works comply with approved plans

92. Prior to issue of the Occupation Certificate, the Principal Certifying Authority shall ensure that all the basement car parking flood evacuation measures have been implemented on site, as per the Council's "Flood Plain Matrix". This shall also include the Flood Warning Systems & Response Systems and Evacuation Strategy and Procedures whilst displaying of the laminated Evacuation Plan at a prominent location within each unit, for the residents to be aware of the potential flooding of the basement, in the event of major flooding. The

Flood Emergency Response Plan shall also include the Strata Manager and the people nominated as part of the flood warden group (members of the Body Corporate) to monitor the drainage system of the property in the basement as well as pay attention to the weather reports during heavy rainfalls. A Certificate of Compliance for the satisfactory implementation of the flood related basement evacuation strategy, from the Consulting Civil/Flood Engineer shall be submitted to the Principal Certifying Authority, prior to the issue of the Occupation Certificate. A copy of the above Compliance Certificate shall be attached to the Occupation Certificate, when forwarded to Council for record.

**Reason:** To ensure the property owners / occupants are aware of the procedure in the event of basement flooding.

93. The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:

- compare the post-construction dilapidation report with the pre-construction dilapidation report, and
- have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

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

**Reason:** To establish the condition of adjoining properties prior building work and any damage as a result of the building works.

94. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. 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.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

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

95. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919, burdening the owner with the

requirement for providing as necessary direct access (during any time throughout the year) to the maintenance personnel or contractor(s) authorized by Parramatta City Council (being the local authority of the drainage system) for the maintenance (either routine or emergency) of Council owned 2400x750mm box culverts located at the basement of this development. The positive covenant and restriction on the use of land shall be created only upon completion of the box culvert and certification by a qualified practicing engineer to the satisfaction of the Certifying Authority. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for protection of the box culvert and to the satisfaction of Council. For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA (Not in 88B instrument). The relative location of the box culvert, in relation to the building footprint, must be shown on a scale sketch or a works as executed plan, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

**Note:** The covenant is to be submitted to Council for approval prior to lodgment with the Land and Property Information Service of NSW. Documents relating proof of completion of the stormwater system according to the approved stormwater plan and certification of the compliance shall be submitted to the council together with the positive covenant and restriction.

**Reason:** To ensure drainage maintenance of the Council owned 2400 x 750mm box culvert located within this property can be conducted on a regular or emergency basis.

96. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88B instrument for protection of on-site detention facilities and to the satisfaction of Council. For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the On-Site Detention facility, in relation to the building footprint, must be shown on a scale sketch or a works as executed

plan, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

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

97. An appropriate width drainage easement shall be created in favour of Council over the proposed box culverts running through site (as shown on the Dwg plan No. FIG04 Rev (F) and FIG08 Rev (B) dated 25/06/2014 prepared by Wood & Grive Engineers. The drainage easement shall be registered with the NSW Land and Property Information Service prior to the issue of Occupation Certificate.

**Reason:** To ensure an appropriate easement is in place.

98. The Certifying Authority shall arrange for a qualified Landscape Architect/Designer to inspect the completed landscape works to certify adherence to the DA conditions and Construction Certificate drawings. All landscape works are to be fully completed prior to the issue of an Occupation Certificate.

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

99. All works approved within the Public Domain Plan are to be carried out to Council's satisfaction before the issue of any Occupation Certificate.

**Reason:** To ensure public domain works are complete.

100. Any artworks approved as part of an Arts Plan are to be installed to the satisfaction of Council prior to the issue of any occupation certificate.

**Reason:** To ensure that the Arts/Interpretation Plan is implemented appropriately.

101. Prior to an Occupation Certificate being issued, Council must be notified that the premises is to be used for the preparation or manufacture of food for sale so that the premises can be registered on Council's food premises licensing database.

**Reason:** Compliance with the requirements of the Food Act.

102. Certification to be provided to the principal certifying authority (PCA), prior to occupation, that the fit-out of the food premises has been completed in accordance with plans complying with food safety standards prescribed under the Food Act 2003, and the requirements of Australian Standard AS 4674 - 2004.

It is incumbent on the PCA to determine the competency of the person providing this certification, based on that person's qualifications, experience and currency of practice.



**Reason:** To ensure construction and fit-out of the premises meets relevant public health standards.

103. Notification of the food business is to be made to the NSW Food Authority before any food handling operations are commenced at the premises.

**Reason:** To comply with requirements of the Food Act.

104. A written application for release of the bond(s), quoting Council's development application number and site address is required to be lodged with Council's Civil Assets Team prior to the issue of any occupation certificate or completion of demolition works where no Construction Certificate has been applied for.

The bond is refundable upon written application to Council and is subject to all work being restored to Council's satisfaction.

Once the site and adjacent public road reserve has been inspected and in the case of any damage occurring it has been satisfactory repaired Council will advise in writing that this condition has been satisfied and will organise for the bond to be released. The occupation certificate shall not be released until the PCA has been provided with a copy of the letter advising either that no damage was caused to Council's Assets or that the damage has been rectified.

**Reason:** To safe guard the public assets of council and to ensure that these assets are repaired/maintained in a timely manner.

**Advisory Note:** Council's Civil Assets Team will take up to 21 days from receipt of the request to provide the written advice.

105. The applicant is required to have in place an approved plan of management, prior to the issue of an Occupation Certificate. The Plan of management is to be submitted to, and approved by Council's Community Crime Prevention Officer. This plan must include a process for dealing with complaints and the recommended acoustic treatments contained within the Environmental Noise Impact Assessment – Document Reference 20130130.3/2611A/R4/GW Revision 4 prepared by Acoustic Logic dated 29/11/2013. Any future proposed changes to the Approved Plan of Management must be submitted to Council for approval.

**Reason:** To ensure the premises has an appropriate plan of management.

106. The supply and/or sale of alcohol is not permitted on the premises prior to separate consent being obtained from the Office of Liquor Gaming and Racing. Such consent must be submitted to Council prior to occupation of the premises.

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

107. The provision of gaming is not permitted on the premises prior to approval being obtained from the Office of Liquor Gaming and Racing. Such consent must be submitted to Council prior to occupation of the premises.

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

108. The CCTV shall be compliant with following minimum requirements in line with Australian Standards AS4806:

**General**

- a. All cameras should provide colour images of sufficient quality and clarity for use by police as evidence in court.
- b. The operational requirement is for Identification @ 5 metres.
- c. Location and mounting of cameras should take potential sources of glare into consideration, particularly position of the sun in early morning and late afternoon.

**Field of View (FOV)**

- d. FOV should avoid 'tops of heads' shots, distances or angles of view which make detection or identification problematic (refer to S3.7 AS4806.2:2006 for relevant object/screen size ratio).

**Image Resolution**

- e. Systems should record at a minimum of 4CIF (704 x 576 TV lines) and at 25 frames per second during operational hours and 6-10 frames per second during non-operational hours.
- f. Systems can utilise a live view resolution of 2 CIF (704 x 240).

**Placement**

- g. Internal cameras should be placed at a height of 1800mm-2400mm. External cameras may need to be positioned higher, however, placement height should not impede ability to capture identifying information.
- h. Vandal proof dome cameras are most appropriate to enhance camera resistance to tampering or vandalism.

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**Signage**

- i. CCTV signage placed at entry to premises and in all areas where CCTV is operating as per Australian Standard AS4806.1 –2006.
- j. Sign formats as per the requirements of Australian Standard S9 AS4806.2:2006.

**Storage**

- k. Operational/General recording:
  - A resolution of 4CIF at 25 frames per second for a minimum period of 14 days.Required Storage per Camera:
  - H264 94 GB Standard to 412 GB Best Quality 4 CIF
  - Mpeg 4 134 GB Quiet Scene to 800 GB Busy scene
- l. Non operational (out of hours) recording:
  - A resolution of 4CIF at a minimum of 6 frames per second for a minimum period of 14 days.Required Storage per Camera:
  - H264 30 GB Standard to 137 GB Best Quality 4 CIF
  - Mpeg 4 40 GB Quiet scene to 453 GB Busy scene
- m. Duress/Alarm activation:
  - A resolution of 4CIF at 25 frames per second for a minimum period of 14 days.
- n. Required Storage per Camera:
  - H264 94 GB Standard to 412 GB Best Quality 4 CIF
  - Mpeg 4 134 GB Quiet Scene to 800 GB Busy scene

**File export**

- o. The system must be capable of burning to disk, in a simple operation:
  - The video file; and
  - the playback software required to view the video file
- p. Files should be able to be exported from the recording device in the following standards:
  - Mpeg4;
  - Jpeg;
  - MJpeg;
  - H.264 (and superseding standards).
- q. Data should be able to be played on Windows Media format or in common AVI format.
- r. CCTV Footage must be provided to police or council within 24 hours of receiving a written request for such footage.

**Image Retention**

- s. Data to be kept for a minimum of 14 days.
- t. Data should be recorded on DVR equipment, computer network or otherwise retained digitally.
- u. Stored images should be protected through archiving & the utilisation of fault tolerant RAID configurations to protect against drive failure.

#### **System Maintenance**

- v. The CCTV system including recording unit, should be fully operative at all times. Any damage or malfunction to the system must be noted in the incident register and repaired immediately.

#### **System Validation**

- w. When exported, image data should also include:
  - Time/date stamp;
  - Camera location;
  - Camera identifier; and
  - Watermarking or method of verifying the original image for authenticity ensuring tamper prevention.

#### **System Registration**

- x. The CCTV system to be registered with the NSW Police CCTV Register  
at: [http://www.police.nsw.gov.au/services/additional\\_services/register\\_my\\_business\\_cctv\\_details](http://www.police.nsw.gov.au/services/additional_services/register_my_business_cctv_details)

#### **Staff Training**

- y. All staff interacting with system, its location or requests for data should be provided with an appropriate degree of training in its operation. Training/Staff Knowledge should include:
  - The use of the system including: data review, search and export.
  - Policy/Standard Operating Procedures (SOPs). (SOPs should be stored with system).
  - Use of incident logs/chain of evidence logs (these should be maintained and kept with system)

Details of compliance with the above is to be submitted to the satisfaction of the Principal Certifying Authority before the issue of a Construction Certificate.

**Reason:** To ensure the CCTV complies with the appropriate standards.

#### **Use of the Site:**

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109. The maximum number of gaming/poker machines on the site shall not exceed one hundred and forty-five (145). Any increase in the number of machines shall be subject to a further Development Application to Council.
- Reason:** To safeguard the amenity of the surrounding residential area and to ensure that any increase in the number of gaming machines on the site has been subject to an appropriate assessment in terms of the social and economic impacts on the area.
110. The operation of the premises is to comply with the relevant provisions of the Food Act 2003, Food Regulation 2010 and the Australia New Zealand Food Authority Food Standards Code.
- Reason:** To ensure operation of the premises complies with the relevant legislation and standards.
111. The operation of the premises is not to give rise to emissions of air impurities in contravention of the Protection of the Environment Operations Act 1997. Air emissions from the premises must not cause a nuisance from odours, nor be hazardous to human health or the environment.
- Reason:** To prevent loss of amenity to the area.
112. 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.
113. The following waste requirements shall be complied with:
- (i) 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:

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- 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.
- (ii) All waste storage rooms/areas are to be fully screened from public view and are to be located clear of all landscaped areas, driveways, turning areas, truck standing areas and car parking spaces. No materials, waste matter or products are to be stored outside the building or any approved waste storage area at any time.
  - (iii) All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.
  - (iv) 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. All waste storage areas are to be maintained in a clean and tidy condition at all times.

**Reason:** To provide for appropriate waste storage and disposal.

114. Security personnel licensed under the Security Industry Act 1997 shall be engaged by the licensee to patrol the area to ensure that patrons do not cause nuisance, or annoyance to the quiet and good order of the neighbourhood.

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

115. Signs must be placed in clearly visible positions within the hotel requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.

The management/licensee must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management/licensee must be responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner to the

satisfaction of Council. If so directed by Council, the management/licensee is to employ private security staff to ensure that this condition is complied with.

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

116. Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to "offensive noise" as defined by the Protection of the Environment Operations Act 1997.

**Reason:** To reduce noise levels.

117. Any external plant/ air-conditioning system shall not exceed a noise level of 5 dBA above background noise level when measured at the side and rear boundaries of the property.

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

118. The hours of operation of the club shall be restricted to:

| Day       | Time   |
|-----------|--|
| Monday    | <del>10am to 11pm</del> 7:00am – <del>12 midnight</del> 1:00am |
| Tuesday   | <del>10am to 11pm</del> 7:00am – <del>12 midnight</del> 1:00am |
| Wednesday | <del>10am to 11pm</del> 7:00am – <del>12 midnight</del> 1:00am |
| Thursday  | <del>10am to 12 midnight</del> 7:00am – 4:00am                 |
| Friday    | <del>10am to 1am</del> 7:00am – 4:00am                         |
| Saturday  | <del>10am to 1am</del> 7:00am – 4:00am                         |
| Sunday    | <del>10am to 11pm</del> 7:00am – <del>12 midnight</del> 1:00am |

- (a) The above hours of operation is limited to a period not exceeding 12 months from the date of occupation of the Club. At the end of this period, the hours of operation of the Club must revert to the following:

| Day       | Time                    |
|-----------|-------------------------|
| Monday    | 7:00am – 11:00pm        |
| Tuesday   | 7:00am – 11:00pm        |
| Wednesday | 7:00am – 12:00 Midnight |
| Thursday  | 7:00am – 1:00am         |
| Friday    | 7:00am – 2:00am         |
| Saturday  | 7:00am – 2:00am         |
| Sunday    | 7:00am – 12:00 Midnight |

To keep the extended hours, a new application must be made.

The Council may, upon receiving an application under Section 4.55 of the Environmental Planning and Assessment Act 1979, prior to the 12-month period, provide permanent operating hours reflective of those the subject of the initial 12-month trial.

Whenever the closing hours are later than originally approved, the operation of the club must be restricted to the area specified in *Appendix 6: Late Night Operation Plan* to the *URBIS Addendum Statement of Environmental Effects* i.e. the rooms identified as “Gaming”, “Toilet”, “Air Lock”, “Lounge/Dining”, “Sports Lounge”, “Female WC”, and “Male WC” located on the ground floor.

Any application under Section 4.55 of the Act should be made to Council should be made to Council at least 90 days prior to the end of the 12-month trial period to allow adequate processing/assessment of the application, noting that the modification may be determined by the Regional Panel.

The application must be accompanied by a Social Impact Assessment (SIA). The SIA must be in accordance with *City of Parramatta’s ‘Social Impact Assessment Guidelines’, August 2013*. The SIA shall include a review of relevant information acquired as a result of the trial period and identify and mitigate against any social impact likely to be experienced at this venue. This SIA is to include information in relation to:

- i. Any liquor offences occurring in the vicinity of the venue
  - ii. Any other instances of crime, including assault in the vicinity of the venue
  - iii. Any information related to the impact of gambling including numbers of self-reported exclusion
  - iv. A register of complaints relating to disturbances or impacts arising from the operation of the club, especially during the extended operating hours
  - v. A report on the frequency and types of uses occurring in the venue’s function spaces
- (b) Prior to the commencement of the trial period, the proponent shall undertake consultation with residents immediately neighbouring the site to inform them of the extended hours of operation. The letter must include the following details:
- i. The trial period and process;



- ii. Who and how to make contact to seek further information;
- iii. Offer of interpreter services;
- iv. Information provided in Hindi, Mandarin, and Tamil Languages at a minimum.

The proponent should contact the City of Parramatta Social Outcomes team for assistance in the preparation and distribution of the abovementioned letters.

- (c) The noise from the premises shall not exceed the criteria laid down by the Liquor Administration Board as follows:

- i. "The LA10\* noise level emitted from the licensed premises shall not exceed the background noise level in an Octave Band Centre Frequency (31.5Hz- 8kHz inclusive) by more than 5dB between 7:00am and **12:00pm** at the boundary of any affected residence. The LA10\* noise level emitted from the licensed premises shall not exceed the background noise level in an Octave Band Centre Frequency (31.5Hz- BkHz inclusive) between **12:00pm** and 7:00am at the boundary of any affected residence.
- ii. Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 7:00am.
- iii. Interior noise levels which still exceed safe hearing levels are **not to occur**.

\*For the purpose of this condition, the LA10 can be taken as the average maximum deflection of the noise emission from the licensed premises"

- (d) During the first December to February period, within the trial period at a time when patronage levels are likely to be at their maximum, an acoustical assessment is to be carried out by an appropriately qualified person nominated by the consent holder and approved by the City of Parramatta Council, in accordance with the Liquor Administration Board Noise Criteria and submitted to the City of Parramatta Council for consideration.

- i. The acoustical assessment is to assess whether patron noise emitted from the licensed premises (including outdoor areas) comply with the LAB noise criteria.
- ii. The consent holder is to pay the costs of the acoustical assessment. The consent holder is not to be informed of the times testing is to be carried out for the assessment.
- iii. This report should include but not be limited to, details verifying that the noise control measures are effective in attenuating noise to an acceptable noise level.
- iv. The testing must be undertaken for a period of at least one week and must also state the number of patrons in the premises at the time of testing.
- v. Finally, the report must also specify any further noise attenuation measures that may be required in the case that offensive noise is being caused in order to mitigate impacts. The property owner will be required to implement these measures. Should these measures require any additional works to be carried out at the Club, details are to be submitted to Council for approval.

**Reason:** To manage the impacts of the development.

*(Conditions 118 added by DA/805/2013/C)*

119. Trade waste water shall be disposed of in accordance with the permit requirements of Sydney Water Corporation Ltd, Wastewater Source Control Branch.

**Reason:** To ensure compliance with Sydney Water's requirements and protect the environment.

120. The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.

**Reason:** To ensure the removal of graffiti.

121. All vehicles are to enter and exit the site in a forward direction.

**Reason:** To ensure appropriate truck manoeuvring is provided

122. All loading and unloading shall take place within the designated loading area on the subject property. All vehicles are to enter and leave the site in a forward direction.

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

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123. Signage on the upper level of the building must not face the domain of Parramatta Park. All signage will require a separate development application.

**Reason:** To protect the heritage significance of Parramatta Park and comply with the provisions of Parramatta Development Control Plan 2011.

124. The licensee of premises is to be an active member of the Parramatta Liquor Accord. This means the licensee is obliged to attend at least 75% of all meetings of the accord annually.

**Reason:** To assist with the appropriate management of licensed premises.

125. No person wearing any form of clothing, jewellery or other accessory, displaying or indicating by form of wording, colours, logo, symbol or otherwise that they are members of or are in any way associated with; (Bandidos, Black Uhlands, Brothers 4 Life, Coffin Cheaters, Comanchero, Finks, Fourth Reich, Gladiators, Gypsy Jokers, Highway 61, Life & Death, Lone Wolf, Mobshitters, Nomads, Odins Warriors, Outcasts, Outlaws, Phoenix, Rebels, Hells Angels, Scorpions, Notorious) or a declared organisation as defined in the Crimes (Criminal Organisations Control) Act 2012 any be allowed entry into, or be permitted to remain on the licensed premises.

126. The Club shall supply a courtesy bus service until 1am on Thursday, Friday, and Saturday during the trial period, and after 1am to 4am on those days will provide transport assistance.

**Reason:** To manage the impacts of the development

*(Conditions 126 added by DA/805/2013/C)*

127. The service of alcohol must cease at least 30 minutes prior to the operational closing time.

**Reason:** To manage the impacts of the development

128. Security staff employed by the Club must patrol the area from the front entrance of the club to the intersection of Macquarie and O'Connell street to the east, and Pitt and Hunter Street to the south on both side of the road at the close of trade.

**Reason:** To ensure patrons disperse and leave the vicinity of the club to minimise noise and disturbance to neighbouring residences.

*(Conditions 128 added by DA/805/2013/C)*

129. The Club management must maintain a mobile telephone service (that is, a phone service capable of being answered without being connected to a fixed line) and ensure that this phone service is switched on and that it is able to be answered in order to receive telephone calls from residents when the Club is trading and for a period of 30 minutes after the Club's closure:

(a) The Club management must, around 1 December in each calendar year, letterbox drop local residents and business with a business card with the number of the telephone service; and

(b) The mobile number must be made available on the club website and exterior entrance of the club.

**Reason:** To provide more transparency in incident reporting.

*(Conditions 129 added by DA/805/2013/C)*

130. The Licensee must maintain a Complaints Diary, in addition to any Incident Register, recording details of any complaint received by management or staff from any local resident or local business in respect of the operation of, or patrons of the Club, whether those patrons are on or have left the Club (provided that they are within sight of the patrol routes along the nominated public roads.

(a) In receiving any such complaint, the Licensee or a staff member who receives any such complaint is entitled to ask the complainant for information to demonstrate that persons said to have been patrons of the Club, but have left the Premises, might be identified as having attended the Club as patrons thereof:

(b) The Complaints Diary must be made available to for inspection by any authorised officer of the NSW Officer of Liquor, Gaming and Racing, the City of Parramatta Council or the NSW Police Force for inspection upon request;

(c) The Complaints Diary must be kept for a period of at least four years;

(d) A copy of the most recent quarter's entries in the Complaints Diary must be forwarded to the City of Parramatta Council quarterly for the attention of the Crime Prevention Officer.

**Reason:** To accurately record incidents.

*(Conditions 130 added by DA/805/2013/C)*

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**NSW Police Force – Parramatta Police Area Command Conditions of Consent**

*(NSW Police Force conditions added by DA/805/2013/C)*

1. The management of the premises must engage a person who holds a current class 2A security licence to prepare a plan of management ("plan") for the licensed premises. The Plan is to approved by the Club's Board of Directors prior to the extended of hours' commencement.
2. The plan should be systems based and adopt a continuing approach to address:
  - (a) Compliance with licence conditions and liquor and gaming laws.
  - (b) The responsible service of alcohol.
  - (c) Minimising disturbance to the neighbourhood particularly addressing effective management of patrons:
    - i. Who are intoxicated, violent, quarrelsome and disorderly,
    - ii. Queuing to gain entry to the premises, and
    - iii. Within and departing the premises.
  - (d) Effective management and deployment of venue staff particularly addressing:
    - i. Maintaining an incident register,
    - ii. Security and patron safety,
    - iii. Crime scene management procedures, and
    - iv. Induction and training.
  - (e) Appropriate responses to concerns as they arise from the Parramatta Police Area Commander or residents affected by the operation of the licensed premises, and
  - (f) All of the current Parramatta Liquor Accord's conditions or strategies implemented by the accord.
3. The plan should be reviewed and updated annually or with a transfer of licensee, but only:
  - (a) With the agreement of the Parramatta Police Area Commander, and
  - (b) On the advice of a person who holds a current 2A security licence.
4. A copy of the plan must be served on the Parramatta Police Area Commander and the Director of Compliance at the Liquor and Gaming NSW:
  - (a) Within six weeks of the imposition of this condition, and
  - (b) Within 14 days of any variation to the plan.

5. A copy of the current plan must be maintained at the licensed premises and made available for immediate inspection by members of the NSW Police Force or Inspectors from the Office of Liquor, Gaming and Racing.
6. The management of the premises must comply and operate the premises in accordance with the Plan of Management approved by the Parramatta Police Area Command at all times.
7. The business authorised must not operate with a greater overall level of social impact on the wellbeing of the local and broader community than what could be reasonably expected from the information contained in the Community Impact Statement, application and other information submitted in the process of obtaining this development consent.
8. The licensee must not permit any person to enter the premises, or to remain on the premises, if the person is wearing or carrying any clothing, jewellery or accessory displaying:
  - (a) the name of any of the following motorcycle-related and similar organisations: Bandidos, Black Uhlands, Coffin Cheaters, Comanchero, Finks, Fourth Reich, Gladiators, Gypsy Jokers, Highway 61, Life & Death, Lone Wolf, Mobshitters, Nomads, Odins Warriors, Outcasts, Outlaws, Phoenix, Rebels, Hells Angels, Scorpions, Mongols, Notorious, Muslim Brotherhood Movement; or any “declared organisation” within the meaning of the Crimes (Criminal Organisation Control) Act 2009.
  - (b) the colours, club patch, insignia or logo of any such organisation, or
  - (c) the “1%” or “1%er” symbol, or
  - (d) any image, symbol, abbreviation, acronym or other form of writing that indicates membership of, or an association with, any of the organisations specified in point 8 (a) and (c).
  - (e) any incident where a person is refused entry or removed from the premises in relation to this condition must be recorded in the incident register.
9. The licensee must maintain a closed-circuit television system on the premises in accordance with the following requirements:
  - (a) the system must record continuously from opening time until one hour after the premises are required to close (or, in the case of premises that are not required to cease trading, continuously at all times),

- (b) recordings must be in digital format and at a minimum of 15 frames per second,
  - (c) any recorded image must specify the time and date of the recorded image,
  - (d) the system's cameras must cover the following areas:
    - i. all entry and exit points on the premises,
    - ii. the footpath immediately adjacent to the premises,
    - iii. all publicly accessible areas (other than toilets) on the premises.
10. The licensee must also:
- (a) keep all recordings made by the CCTV system for at least 30 days, and
  - (b) ensure that the system is accessible by at least one member of staff at all times it is in operation, and
  - (c) Provide any recordings made by the system to a police officer or inspector within 24 hours. Should you wish to discuss, or required any further information in relation to this matter, please contact our office on 9633 0652.
11. Immediately after the person in charge of the Licensed Premises become aware of an incident involving an act of violence causing an injury to a person on the premises, the person must:
- i. Take all practical steps to preserve and keep intact the area where the act of violence occurred
  - ii. Retain all materials and implements associated with the act of violence in accordance with the crime scene preservation guidelines issued by the NSW Police
  - iii. Make direct and personal contact with the Local Area Command or his/her delegate and advise the Commander or delegate of the incident and
  - iv. Comply with any directions given by the Commander or delegate to preserve or keep intact the area where the violence occurred.

**ADVISORY NOTES:**

- No information has been supplied in relation to any temporary dewatering of the site. If there is to be any temporary dewatering of an amount above 3 ML, this may require a water licence to be obtained from the Office of Water before construction commences.
- The subject site adjoins a World Heritage listed property. In order to ensure compliance with the requirements of the Environment

Protection and Biodiversity Conservation Act 1999 (Cth), the proposed development should be referred to the Australian Department of Sustainability, Environment, Water, Population for comment and/or approval before any works commence on the site. It is further noted that the onus for this referral is on the person who will be carrying out the works.