



ATTACHMENT B – Draft conditions of consent

SCCPP reference	PPSSCC-329
DA No.	16/2022

GENERAL

PLANNING

Approved Plans

1. Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise:

Architectural Drawings by Studio SC

Drawing/Plan No.	Rev	Plan Title	Dated
-	-	COVER SHEET	Nov 25
ARC-DRW- DA01-001	1	LOCATION PLAN	17.12.21
ARC-DRW- DA02-001	1	DEMOLITION PLAN	17.12.21
ARC-DRW- DA03-001	1	SITE ANALYSIS PLAN	17.12.21
ARC-DRW- DA03-002	2	PROPOSED SITE PLAN	20.12.22
ARC-DRW- DA07-001	4	DEVELOPMENT SUMMARY	13.5.25
ARC-DRW- DA07-005	4	COMBINED GFA SCHEDULE	28.11.25
ARC-DRW- DA10-095	6	GA PLAN-BASEMENT 5	28.11.25
ARC-DRW- DA10-096	7	GA PLAN-BASEMENT 4	28.11.25
ARC-DRW- DA10-097	7	GA PLAN-BASEMENT 3	28.11.25
ARC-DRW- DA10-098	7	GA PLAN-BASEMENT 2	28.11.25
ARC-DRW- DA10-099	6	GA PLAN-BASEMENT 1	28.11.25

Drawing/Plan No.	Rev	Plan Title	Dated
ARC-DRW- DA10-100	8	GA PLAN-GROUND FLOOR	28.11.25
ARC-DRW- DA10-101	5	GA PLAN-LEVEL 1	28.11.25
ARC-DRW- DA10-102	4	GA PLAN-LEVEL 2	15.9.23
ARC-DRW- DA10-103	3	GA PLAN-LEVEL C3-8,H3-9	7.7.23
ARC-DRW- DA10-109	4	GA PLAN-C9-H10	15.9.23
ARC-DRW- DA10-110	3	GA PLAN-C10-14,H11-27	7.7.23
ARC-DRW- DA10-115	3	GA PLAN-C15-H11-27	7.7.23
ARC-DRW- DA10-116	3	GA PLAN-C16-19,H11-27	7.7.23
ARC-DRW- DA10-120	3	GA PLAN-C20-H11-27	7.7.23
ARC-DRW- DA10-121	3	GA PLAN-C21-H11-27	7.7.23
ARC-DRW- DA10-122	3	GA PLAN-C22-H11-27	7.7.23
ARC-DRW- DA10-123	3	GA PLAN-C23-H11-27	7.7.23
ARC-DRW- DA10-124	3	GA PLAN-C24-H28	7.7.23
ARC-DRW- DA10-125	3	GA PLAN-C25-H29	7.7.23
ARC-DRW- DA10-126	3	GA PLAN-C26-H30	7.7.23
ARC-DRW- DA10-126M	3	GA PLAN-C26-H30-MEZZ	7.7.23
ARC-DRW- DA10-127	3	GA PLAN-C27-H31 PLANT	7.7.23
ARC-DRW- DA10-128	3	GA PLAN-C28-ROOF	7.7.23
ARC-DRW- DA20-001	4	NORTH ELEVATION	15.9.23
ARC-DRW- DA20-002	4	SOUTH ELEVATION - MACQUARIE ST	15.9.23
ARC-DRW- DA20-003	3	EAST ELEVATION-CHURCH STREET	15.9.23
ARC-DRW- DA20-004	3	WEST ELEVATION-MARSDEN STREET	15.9.23
ARC-DRW- DA25-001	4	BUILDING SECTIONS SHEET 1	30.3.25
ARC-DRW- DA25-002	4	BUILDING SECTIONS SHEET 2	30.3.25
ARC-DRW- DA25-003	5	BUILDING SECTIONS SHEET 3	28.11.25

Drawing/Plan No.	Rev	Plan Title	Dated
ARC-DRW- DA25-004	1	BUILDING SECTIONS SHEET 4	13.5.25
ARC-DRW- DA26-001	2	BASEMENT ENTRY SECTION	20.12.22
ARC-DRW- DA26-002	1	ARCHAEOLOGICAL SECTIONS	28.11.25
ARC-DRW- DA26-010	1	FACADE DETAILS - HERITAGE + PODIUM	19.12.22
ARC-DRW- DA26-011	1	FACADE DETAILS - COMMERCIAL	19.12.22
ARC-DRW- DA26-012	1	FACADE DETAILS - HOTEL	19.12.22
ARC-DRW- DA26-013	1	COMMERCIAL FACADE - PANEL TYPES	8.11.23
ARC-DRW- DA26-015	1	HOTEL FACADE - PANEL TYPES	8.11.23
ARC-DRW- DA80-001	1	EXTERNAL FINISHES AND MATERIALS	17.12.21
ARC-DRW- DA91-001	1	PHOTOMONTAGE-PARRAMATTA SQ	17.12.21
ARC-DRW- DA91-002	1	PHOTOMONTAGE-MARDSSEN STREET	17.12.21

Civil Drawings/Stormwater by Northrop

Drawing/Plan No.	Issue	Plan Title	Dated
DAC01.01	03	Cover sheet	16.12.22
DAC01.11	03	Specification notes	16.12.22
DAC02.01	03	Concept sediment control plan	16.12.22
DAC02.11	03	Sediment + soil erosion control details	16.12.22
DAC04.01	06	Siteworks and stormwater management plan	15.9.23
DAC04.31	05	Stormwater management devices – sheet 01	25.7.23
DAC04.32	03	Stormwater management devices – sheet 02	16.12.22
DAC10.01	03	Details – sheet 01	16.12.22

Landscape Drawings by Arcadia

Drawing/Plan No.	Issue	Plan Title	Dated
L-0000	C	Cover sheet	17.10.23
L-0001	C	Legend	17.10.23
L-0400	C	Planting Schedule	17.10.23
L- 0401	C	Softworks plan - ground floor	17.10.23
L- 0402	C	Softworks plan – level 1	17.10.23
L- 0403	C	Softworks plan – level 2	17.10.23
L- 0404	C	Softworks plan – level 9	17.10.23
L- 0405	C	Softworks plan – level 15	17.10.23
L- 0406	C	Softworks plan – level 20	17.10.23
L- 0407	C	Softworks plan – level 22	17.10.23
L- 0408	C	Softworks plan – level 23	17.10.23
L- 0409	C	Softworks plan – level 24	17.10.23
L- 0600	C	Landscape detail	17.10.23
L-0700	C	Landscape specification notes	17.10.23

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

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

Design amendments to address heritage requirements

2. Despite condition 1, the development shall be completed in accordance with the amended plans/and or documents required elsewhere in this Notice

Reason: To implement the terms of this consent.

Physical commencement required

3. Physical commencement must occur within 5 years of the date of the issue of the consent otherwise this approval shall lapse.

Reason: To provide certainty to the community as to when physical commencement must occur.

Construction Certificate

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

Reason: To ensure compliance with legislative requirements.

Building work in compliance with BCA

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

Reason: To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2021.

No encroachment on Council and/or Adjoining property

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

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

Separate approvals required

7. Notwithstanding the approved drawings, no approval is granted for the following:

- a) Any advertising signage
- b) Fit out of the hotel and ancillary facilities;
- c) Occupation and use of any of the ground floor or podium commercial or retail tenancies, or the commercial tower.

Separate approvals, either via a Complying Development Certificate or Development Application as appropriate, is required for those works/uses.

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

Tree retention

8. The following trees are to be retained are:

Tree No.	Name	Common Name	Location
1 to 5	<i>Zelkova serrata</i>	Zelkova	Church Street

Reason: To protect street trees which contribute to the landscape character of the area.

Demolition of Buildings

9. Approval is granted for demolition required beyond the scope of demolition works approved under related DA/802/2021, **The heritage façades of the**

Murray Brothers building to Church and Macquarie Streets, which must be retained and protected, except for the minor demolition works noted on the approved plans. Demolition works are subject to compliance with the following:

- (a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - Demolition of Structures. Note: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.
- (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 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 City of Parramatta for inspection of the site prior to the commencement of works.** Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- (d) **On the first day of demolition, work is not to commence until City of Parramatta has inspected the site.** Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, signage is to be erected and maintained in accordance with Cl.469 of the Work Health and Safety Regulation 2017.
- (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) Prior to the commencement of any demolition works, and where the site ceases to be occupied during works, the property owner must notify Council to discontinue the domestic waste service and to collect any garbage and recycling bins from any dwelling/ building that is to be demolished. Waste service charges will continue to be charged where this is not done. Construction and/ or demolition workers are not permitted to use Council's domestic waste service for the disposal of any waste.

- (i) 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".
- (j) Demolition works are restricted to Monday to Saturday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on 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 NSW Environment Protection Authority (EPA).
- (n) Before demolition works begin, adequate toilet facilities are to be provided.
- (o) **After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.**
- (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
 - (ii) 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.
 - (iii) 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

Public utility relocation

10. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work, and as required by the various public utility authorities and/or their agents.

Reason: To ensure the applicant bears all reasonable costs for the development.

Payment of Security deposits

11. Before the commencement of any works on the site or the issue of a construction certificate, the applicant must make all of the following payments to Council and provide written evidence of these payments to the certifier:

Bond Type	Amount
Hoarding: per street frontage. (i.e. \$6,978.85 x 3)	\$20,936.55
Development site bond	\$3,090,625.57
Street Trees: (\$2,060 per street tree x 4)	\$8,240.00

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees) as a consequence of carrying out the works to which the consent relates,
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

Note: The inspection fee includes Council's fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with council's fees and charges at the payment date.

Reason: To ensure any damage to public infrastructure is rectified and public works can be completed.

Note: The bond may be paid, by EFTPOS, bank cheque, or be an unconditional bank guarantee.

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA 16/2022;
- (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.

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

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

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

Contributions

12. A monetary contribution comprising **\$10,166,064.40** is payable to City of Parramatta Council in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the relevant Contributions Plan. Payment must be made by direct bank transfer or credit/debit card only. Payment can be made by contacting Council's Customer Contact Centre on 1300 617 058.

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

However, Council will consider possibly staging payments of the contribution, linked to timing of the issue of Construction Certificates, upon receipt of details which are to the satisfaction of Council's Group Manager, Development and Traffic Service Unit.

At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician (Australian Bureau of Statistics, ABS – www.abs.gov.au). Therefore, please visit 'Live Contributions Fees' Register on the Council's Development Contributions webpage to confirm the amount payable prior to making payment.

If staged payments are approved, the outstanding balance will continue to be indexed quarterly in accordance with the Consumer Price Index (All groups Index) for Sydney. Interest will be charged on the outstanding balance at time staged/final payment in line with industry recognised investment benchmarks.

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

Long Service Levy

13. Before the issue of a Construction Certificate, the applicant is to ensure that the person liable pays the Long Service Levy of 0.25% of the value of building and construction work where the cost of building is \$250,000 or more (inclusive of GST) or as calculated at the date of this consent to the Long Service Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986* and provides proof of this payment to the Certifier. However, notwithstanding the above, the Long Service Levy can be paid instalments with the agreement of the Long Service Corporation.

Note: The Long Service Levy is to be paid directly to the **Long Service Corporation** at www.longservice.nsw.gov.au. For more information, please contact the Levy support team on 13 14 41.

Reason: To ensure that the Long Service Levy is paid.

DESIGN EXCELLENCE

Design Architect

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

- a. Studio SC architects design team is to have direct involvement in the design documentation, contract documentation and construction stages of the project (including signing off any required certifications, s4.55 Modification Applications, Construction Certificate and Occupation Certificate stages).
- b. The design architect's team is to have full access to the site and is to be authorised by the applicant to respond directly to Council officers where information or clarification is required in the resolution of any design issues throughout the life of the project.
- c. Evidence of the design architect's team commission for the above is to be provided to the Council prior to release of any Construction Certificate.
- d. The design architect's team of the project is not to be changed without the approval of the Council's Group Manager Development and Traffic Services (DTSU). Council's DTSU Manager will consider the advice of the Design Excellence Jury and/or Council's Design Excellence Team as part of their assessment.
- e. The Principal Certifier must be satisfied that the above requirements have been implemented.

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

SUSTAINABILITY

NABERS obligations

15. To meet sustainability outcomes the following requirements apply:

- (a) The office portion of the building will be developed to operate at a minimum NABERS Energy rating of 5.5 stars without accounting for any Green Power used in the building and a corresponding Commitment Agreement be entered into with NABERS National Administrator.
- (b) The hotel portion of the building will be developed to operate at a minimum NABERS Energy rating of 5.0 stars without accounting for any Green Power used in the building and a corresponding Commitment Agreement be entered into with NABERS National Administrator
- (c) The office portion of the building will be developed to operate at a minimum NABERS Water rating of 4.5 stars.
- (d) The hotel portion of the building will be developed to operate at a minimum NABERS Water rating of 4.5 stars.

Reason: To deliver the sustainability objectives of the DCP.

HERITAGE

Use of heritage consultant

16. In addition to any other conditions in this Notice, the following apply:

- (a) An experienced heritage consultant is to be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The conservation architect is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The heritage consultant is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project.
- (b) Evidence and details of the above commission on the above terms are to be provided to Council prior to the issue of any Construction Certificate or commencement of work on site whichever is the earlier.
- (c) Throughout the documentation and construction stages of the approved works the experienced heritage consultant is to:
 - (i) Undertake site inspections of not less than fortnightly intervals.
 - (ii) Maintain a diary of site inspections that includes photographs of the works, details of heritage advice and decisions arising out of each inspection and any further physical evidence uncovered during the works.
 - (iii) Compile a final report, including the diary, verifying how the heritage conditions have been satisfied, and the works completed in accordance with the Conservation Management Plan.
- (d) Upon completion of the works, the final report is to be submitted for approval by Council's Group Manager DTSU, prior to the issue of any Occupation Certificate or the commencement of the use, whichever is earlier.

Reason: To protect the heritage of the City of Parramatta

Sites in the vicinity of a heritage item

17. A protection strategy for the duration of the construction works, is to be submitted to and approved by Council's Group Manager DTSU prior to the issue of any Construction Certificate or commencement of work on site whichever is the earlier.

The Strategy is to detail how the proposed works will ensure that the following buildings listed below are to be suitably protected and stabilized during the construction process including from any construction waste, dust, damp, water runoff, vibration or structural disturbance or damage:

- 198-216 Church Street (I 470 in PLEP 2023)
- 211 Church Street (I 471 in PLEP 2023)
- 215 Church Street (I 472 in PLEP 2023)

Additionally, the protection strategy is to include:

- (i) Details of temporary hydraulic drainage works to ensure that all water both in ground and above ground is channelled to the street and that no such water is channelled onto the adjacent property fabric or interiors.
- (ii) Construction debris on neighbouring properties, in drainage lines or in cavities between the boundary walls of the adjacent buildings, is to be removed progressively as the works progress.
- (iii) A geotechnical report detailing the investigation of the location and depth of footings of the adjacent buildings. The report must address details of lateral ground movement, advice of any additional boundary offsets that may be required as a result of the location of footings and on the suitability of structural engineer's proposals for underpinning or other support to adjacent footings.

Reason: To protect the heritage of the City of Parramatta.

ENVIRONMENTAL HEALTH

Hazardous/intractable waste disposed legislation

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

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

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

Site Investigation and Site Audit Statement

19. Following demolition activities, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for the approved land uses. The soil investigation shall be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites and the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007.

A site audit statement shall be issued at the completion of the investigation by an approved NSW Environment Protection Authority Auditor in accordance with the NSW Environment Protection Authority's Guidelines for the NSW Site Auditor Scheme.

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

Imported fill

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

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

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

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

Signage – Contamination

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

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

New contamination evidence

22. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the principal certifying authority immediately.

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

Discharge of Contaminated Groundwater

23. Groundwater shall be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant NSW EPA water quality standards and Australian and New Zealand Guidelines for Fresh and Marine Water Quality.

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

Reason: To ensure that contaminated groundwater does not impact upon waterways.

Contaminated waste to licensed EPA landfill

24. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

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

Remediation Action (RAP)

25. A Remediation Plan shall be prepared in with the recommendations of the Detailed Site Investigation report prepared by EI Australia (E25219E02.Rev02, dated 21 December 2022).

All remediation works shall be carried out in accordance that Plan , and otherwise per clauses 4.14 and 4.15 of State Environmental Planning Policy (Resilience and Hazards) 2021.

The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works.

Reason: To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021.

Validation Report

26. A validation report prepared by a suitability qualified person shall be provided to the Certifying Authority and Council within 30 days following completion of the remediation works, which demonstrates:

- (a) Compliance with the approved RAP and ISA
- (b) The remediation acceptance criteria (in the approved RAP) has been fully complied with;
- (c) All remediation works undertaken comply with the contaminated lands planning guidelines, *Contaminated Lands Management Act 1997*, SEPP 55 and Council's Management of Contaminated Lands Policy and includes:
 - Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor;
 - A "notice of completion of remediation work" as required under Clause 18 of SEPP 55; and
 - A statement confirming that the site following remediation of contamination is suitable for the intended use.

Reason: To ensure that the development complies with the Remedial Action Plan and that the works are in accordance with the *Contaminated Land Management Act 1997*.

Site Audit Statement

27. Following the preparation of the validation report, Council requires the applicant to engage an accredited auditor under the *Contaminated Land Management Act 1997* to review the Validation Report prepared by the contaminated land consultant and issue a **Site Audit Statement**. The accredited auditor shall consult with Council prior to finalising and issuing the Site Audit Statement. The Site Audit Statement should allow for soil access to occur to ground level courtyards and communal open space areas within the development. The accredited auditor shall provide Council with a copy of the Site Audit Report and Site Audit Statement, prior to the issuing of the Occupation Certificate. In circumstances where the SAS conditions (if applicable) are not consistent with

the consent, the consent shall prevail to the extent of the inconsistency and a Section 4.55 Modification Application or further Development Application pursuant to the *Environmental Planning and Assessment Act 1979* will be required.

Reason: To ensure that the development complies with the Remedial Action Plan and that the works are in accordance with the *Contaminated Land Management Act 1997*

WASTE

Amenity of waste storage areas

28. All waste storage areas/rooms are to comply with the City of Parramatta Waste Management Guidelines for New Developments. No waste materials are to be stored outside the building or any approved waste storage area at any time.

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

Provide waste storage room on premises

29. 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) including:

- (a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types and bulky materials;
- (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 1.5m above floor level to avoid damage and a hose fitted with a nozzle being connected to the outlet;
- (e) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.

Reason: To ensure provision of adequate waste storage arrangements

Waste facilities in Mixed Use Developments

30. The waste handling, storage and collection systems for residential and commercial wastes are to be completely separate and self-contained, and designed in accordance with the City of Parramatta Waste Management Guidelines for New Developments. A caretaker is to be appointed by the managing body to be responsible for the management of all waste facilities.

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

WATER NSW

General Terms of Approval

31. The development shall be completed in accordance with the attached

General Terms of Approval (GTA) issued by Water NSW dated 22 February 2023 (Ref: [IDAS1143340](#)).

No works shall commence and no Construction Certificate shall be issued until such time as all conditions of those GTAs have been satisfied and the relevant approval under the Water Management Act 2000 has been issued, with a copy provided to Council for its records.

Reason: To comply with legislative requirements

TRANSPORT FOR NSW (PLR)

Operator policies

32. The applicant must comply with all Paramatta Light Rail Operator policies, rules and procedures when working in and about the Parramatta Light Rail corridor.

Standards and guidelines

33. The applicant must comply with the requirements of ASA standards T HR CI 12090 ST Airspace and External Developments version 1.0 and Development Near Rail Corridors and Busy Roads- Interim Guidelines.

Applicability of conditions

34. All conditions are applicable for Parramatta Light Rail Stage 1 (PLR1) corridor (Church Street) as well as Parramatta Light Rail Stage 2 (PLR2) corridor (Macquarie Street turnback).

Location of buildings and structures

35. All buildings and structures (other than pedestrian footpath awnings), together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth), along the Parramatta Light Rail Transitway boundary.

PLR operations

36. Activities of the applicant must not affect and/or restrict Parramatta Light Rail operations without prior written agreement between the applicant, Transport for NSW (TfNSW) and the Parramatta Light Rail Operator, and it is a condition precedent that such written agreement must be obtained no later than two (2) months prior to the activity. Any requests for agreement are to include as a minimum the proposed duration, location, scope of works, and other information as required by the Parramatta Light Rail Operator.

Network shutdowns

37. The applicant must apply to the Parramatta Light Rail Operator for any required network shutdowns four (4) months prior to each individual required network shutdown event. Each request for network shutdown must include as a minimum the proposed shutdown dates, duration, location, scope of works, and other information as required by the Parramatta Light Rail Operator. The Parramatta Light Rail Operator may grant or refuse a request for network shutdown at its discretion.

Light rail stops

38. The applicant shall provide safe and unimpeded access for Parramatta Light Rail patrons traversing to and from the Parramatta Light Rail stops at all times.

Relocation of services

39. The relocation of any TfNSW services or infrastructure must only be undertaken with prior consent from TfNSW and to TfNSW Requirements and Standards. The works must be designed and undertaken by Authorised Engineering Organisations (AEO) at the applicant's cost.

Signage

40. All works/regulatory signage associated with the proposed development are to be at no cost to TfNSW.

TfNSW inspections

41. TfNSW, and persons authorised by it for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor for the approved development or the owner or occupier of the part of the site to which access is sought.

Public liability insurance

42. The applicant must hold current public liability insurance cover of minimum AUD\$ 250 million, unless otherwise advised by TfNSW, for the entire period of the work programme. This insurance shall not contain any exclusion in relation to works on or near the rail corridor and its infrastructure. Prior to issuing the first Construction Certificate the Certifier must witness written proof of this insurance in conjunction with TfNSW's written advice to the applicant on the level of insurance required.

Costs borne by applicant

43. All TfNSW and the Parramatta Light Rail Operator's costs associated with review of plans, designs and legal must be borne by the applicant.

SYDNEY METRO**Inspections**

44. At any time during the construction of the development, Sydney Metro and persons authorised by those entities may give reasonable notice to the Applicant or the Applicant's principal contractor that Sydney Metro or persons authorised by that entity seek to:
- (a) inspect the development site and all works and structures that may impact on the rail corridor, including at specified "hold points" in the construction of the development; and
 - (b) attend on-site meetings with the Applicant and its contractors, to enable Sydney Metro to determine whether the development has been or is being

constructed and maintained in accordance with all approved plans and this development consent.

Other

45. Any conditions or other requirements imposed by Sydney Metro part of its approval/endorsement of any documents provided by the Applicant to Sydney Metro in accordance with these conditions of consent must also be complied with by the Applicant when implementing any approved/endorsed documents, plans, reports during the construction and operation of the development (as applicable).
46. Where a condition of consent requires Sydney Metro endorsement or approval, the Certifier must not to issue a Construction Certificate or Occupancy Certificate, as the case may be, until written confirmation has been received from those entities that the particular condition has been complied with. The issuing of staged Construction Certificates by the Certifier dealing with specific works and compliance conditions can only occur subject to written confirmation from Sydney Metro.
47. All reasonable Sydney Metro costs associated with review of plans, designs and legal must be borne by the applicant

Endeavour Energy

48. The development is to comply with the requirements of Endeavour Energy as per their advice dated **03/02/2022**, a copy of which is provided on the NSW Planning Portal.

Reason: To ensure safe electricity supply.

PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

SYDNEY METRO

Engineering

49. All excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings, measures and recommendations detailed in the following documents:
 - (a) Survey Plans and verifications from surveyors, including but not limited to;
 - I. Plan showing Detail and Levels over Lot 1 DP 710335 No. 89 Marsden Street, Paramatta, Ref. 7368/09, Sheets 1 to 7 of 7, prepared by Ramsay Surveyors, dated 5 June 2023.
 - II. Letter “RE: 197, 207 CHURCH STREET & 89 MARSDEN STREET, PARRAMATTA” from Aaron Millard, Ramsay Surveyors dated 4 April 2025

- III. Letter “RE: 197, 207 CHURCH STREET & 89 MARSDEN STREET, PARRAMATTA” from Aaron Millard, Ramsay Surveyors dated 17 June 2025
- (b) Architectural drawings, including but not limited to;
- I. GA Plan – Basement 5, Drawing no. ARC-DRW-DA10-095, Rev 6, prepared by Studio.SC, dated 28 November 2025
 - II. GA Plan – Basement 4, Drawing no. ARC-DRW-DA10-096, Rev 7, prepared by Studio.SC, dated 28 November 2025
 - III. GA Plan – Basement 3, Drawing no. ARC-DRW-DA10-097, Rev 7, prepared by Studio.SC, dated 28 November 2025
 - IV. GA Plan – Basement 2, Drawing no. ARC-DRW-DA10-098, Rev 7, prepared by Studio.SC, dated 28 November 2025
 - V. Building Sections – Sheet 1, Drawing no. ARC-DRW-DA25-001, Rev 4, prepared by Studio.SC, dated 30 March 2025
 - VI. Building Sections – Sheet 2, Drawing no. ARC-DRW-DA25-002, Rev 4, prepared by Studio.SC, dated 30 March 2025
 - VII. Building Sections – Sheet 3, Drawing no. ARC-DRW-DA25-003, Rev 5, prepared by Studio.SC, dated 28 November 2025
 - VIII. Building Sections – Sheet 4, Drawing no. ARC-DRW-DA25-004, Rev 1, prepared by Studio.SC, dated 13 May 2025
- (c) Structural drawings, including but not limited to;
- I. Basement 5 - Plan, Drawing no. S005, Rev 11, prepared by Northrop dated 4 June 2025
 - II. Basement 4 - Plan, Drawing no. S006, Rev 11, prepared by Northrop dated 4 June 2025
 - III. Basement 3 - Plan, Drawing no. S007, Rev 12, prepared by Northrop dated 4 June 2025
 - IV. Basement 2 - Plan, Drawing no. S008, Rev 10, prepared by Northrop dated 4 June 2025
 - V. Basement 1 - Plan, Drawing no. S009, Rev 10, prepared by Northrop dated 4 June 2025
 - VI. Shoring Elevation – Sheet 1, Drawing no. S091, Rev 7, prepared by Northrop dated 4 June 2025
 - VII. Shoring Elevation – Sheet 2, Drawing no. S092, Rev 8, prepared by Northrop dated 4 June 2025
 - VIII. Shoring Elevation – Sheet 3, Drawing no. S093, Rev 8, prepared by Northrop dated 4 June 2025
 - IX. Shoring Elevation – Sheet 4, Drawing no. S094, Rev 8, prepared by Northrop dated 4 June 2025
 - X. Building Sections – Sheet 1, Drawing no. S100, Rev 5, prepared by Northrop dated 4 June 2025
 - XI. Building Sections – Sheet 2, Drawing no. S101, Rev 4, prepared by Northrop dated 4 June 2025
 - XII. Building Sections – Sheet 3, Drawing no. S102, Rev 4, prepared by Northrop dated 4 June 2025
 - XIII. Building Sections – Sheet 4, Drawing no. S103, Rev 4, prepared by Northrop dated 4 June 2025

- XIV. Metro Sections – Sheet 1, Drawing no. S200, Rev 11, prepared by Northrop dated 18 June 2025
 - XV. Metro Sections – Sheet 2, Drawing no. S201, Rev 10, prepared by Northrop dated 4 June 2025
 - XVI. Concrete Details, Drawing no. S300, Rev 8, prepared by Northrop dated 4 June 2025
- (d) Report on Geotechnical Investigation, Report No. E25219.G03_Rev1, Revision 1, prepared by EI Australia dated 20 December 2022
 - (e) Groundwater Take Assessment, Proposed Mixed-Use Development, 197, 207 Church Street & 89 Marsden Street, Parramatta, Document No. E25219.G12_Rev 3, prepared by EI Australia dated 15 December 2022
 - (f) Report on Dewatering Management Plan, Report No. E25219.E16_Rev1, Revision 1, prepared by EI Australia dated 21 December 2022
 - (g) Finite Element Analysis for Sydney Metro, 197 Church Street, Paramatta, NSW, Report No. E25219.G06.02_Rev6, Revision 6, prepared by EI Australia dated 20 May 2025 (attached as Appendix B in in the Structural Impact Assessment by Northrop)
 - (h) Technical Report for Submission to Sydney Metro via Holdmark / Northrop, Project No. P-81-1011, Version 4.0, prepared by Pini dated 10 June 2025 (attached as Appendix E in in the Structural Impact Assessment by Northrop)
 - (i) Structural Impact Assessment, Document ref. SY212658-SR06, Rev 11, prepared by Northrop, dated 18 June 2025, including, but not limited to the following appendices.
 - I. Appendix A: Structural Documentation Package;
 - II. Appendix B: Geotechnical Finite Element Analysis Report
 - III. Appendix C: Architectural Drawings
 - IV. Appendix D: Void former product data sheet
 - V. Appendix E: Pini Group technical report
 - (j) Preliminary Construction Management Plan for 197, 207 Church Street & 89 Marsden Street, Parramatta, Revision 2, prepared by Holdmark dated 13 December 2022
 - (k) Noise & Vibration Impact Assessment, 197,207 Church Street And 89 Marsden Street, Parramatta, Revision 006, prepared by Stantec dated 20th December 2022.

subject to any amendments to those documents required by Sydney Metro in accordance with this consent.

The Certifier must not issue a Construction Certificate for the development until the Certifier has confirmed which documents (including the versions of those

documents) apply to the development and the Certifier has confirmed in writing to Sydney Metro that the construction drawings and specifications comply with those documents. The Certifier must not issue a Construction Certificate for the development until the Certifier has confirmed all measurements on the construction drawings showing the rail corridor, sub soil profile, proposed basement and/or foundation excavation and structural design of the development's sub-ground support adjacent to the rail corridor have been verified by a registered surveyor. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.

Prior to the commencement of works, the Certifier must provide written verification to Sydney Metro that this condition has been complied with.

50. The Certifier must not issue a Construction Certificate for the development unless the Applicant has submitted to Sydney Metro and Sydney Metro has provided written approval of the following items:
- (a) Updated detailed plans which accurately show the boundaries between the development, the rail corridor (first and second reserve), rail infrastructure and any Sydney Metro substratum land as well as the proposed development footprint at each subsurface level. These plans need to either refer to the base survey plans used or be endorsed by a registered surveyor for the accuracy of the surveyor provided information.
 - (b) Updated cross sectional drawings showing the rail corridor, sub soil profile, proposed basement and/or foundation excavation and structural design of the development's subground support adjacent to, and within, the rail corridor. These plans need to either refer to the base survey plans used or be endorsed by a registered surveyor for the accuracy of the surveyor provided information.
 - (c) Addressing the following issues to Sydney Metro satisfaction that they have no adverse impact on the Sydney Metro infrastructure:
 - I. The extent and details of the boundary structural wall located in front of the perimeter secant pile walls and which is required to transfer horizontal loads from wind and earthquake on the towers into the ground through connections to the secant pile walls.
 - II. Shoring Wall 5 temporary supports need to be demonstrated as not penetrating the Sydney Metro stratum as the temporary ground anchors shown in the Shoring Wall 5 Elevation on drawing S095 rev 8 are missing from sections through the Commercial Building.
 - III. The thick hydraulic slabs / transfer slab under the core areas of both the Hotel and Commercial Building need to be shown as being constructed on a void former so as not to transfer loads on to the top of the Sydney Metro Stratum in accordance with the Structural Impact Assessment Report.

- IV. Details of the hydraulic slab / transfer slab under the core need to be provided as they currently appear to be discontinuous rather than cranked in order to span between piles.
 - V. The Pile and Shoring Wall Load Schedules need revising and updating to reflect the final structural framing, pile and shoring wall locations.
 - VI. The soil-structure interaction assessment carried out for the DA stage will need to be re-visited to investigate any consequences due to structural development and that the Sydney Metro infrastructure is not adversely impacted. If required, Sydney Metro may request an independent verification of the updated assessment.
- (d) As stated in Section 6 of the Structural Impact Assessment, Document ref. SY212658-SR06, Rev 11, prepared by Northrop, dated 18 June 2025, provision of the following design elements and the impact of them on Sydney Metro infrastructure have been reviewed and accepted by the Sydney Metro:
- I. Foundation pile loads and design;
 - II. Hydrostatic pile loads and design;
 - III. Basement slab design;
 - IV. Isolation details between the piles, basement slab and Sydney Metro first reserve;
 - V. Shoring wall loads and design;
 - VI. Core wall and base design;
 - VII. Transfer design for building structure in the towers;
 - VIII. Further geotechnical investigation and analysis;
 - IX. Developments on adjacent sites; and
 - X. Any changes to the Sydney Metro tunnel design or construction from the Contractor.

The impact assessment report shall be updated to capture the impacts from the above.

- (e) Construction noise and vibration management plan confirming use of bored piling to minimise vibration impacts on the rail corridor or rail infrastructure.

- (f) Construction vibration monitoring plan consistent with monitoring requirements in Sydney Metro Underground Corridor Protection Technical Guidelines.

Protection of Rail Corridor

- 51. All structures must be designed, constructed and maintained so as to allow for the future operation and demolition of any part of the development without damaging or otherwise interfering with the Sydney Metro - West rail corridor or rail operations. Where any part of the development is to be retained because its demolition would damage or otherwise interfere with the Sydney Metro - West rail corridor or rail operations, that part of the development must have a minimum design life of 120 years.

Survey and services

- 52. Prior to the issue of a Construction Certificate:
 - (a) the Applicant must provide Sydney Metro with an accurate survey (plans and sectional drawings) of the development and its location relative to the rail corridor boundary, Sydney Metro substratum land and any rail infrastructure. The survey is to be undertaken by a registered surveyor, to the satisfaction of Sydney Metro; and
 - (b) a registered surveyor shall peg-out the common property boundary between the development site and the rail corridor and any Sydney Metro easements to ensure that there is no encroachment by the development. A copy of the survey report indicating the location of pegs must be provided to Sydney Metro prior to the commencement of works.
- 53. Prior to the issue of a Construction Certificate, the Applicant must undertake a services search to establish the existence and location of any rail services and provide the results of the search to Sydney Metro. A services search must be based on current and not expired information and include information obtained through the Dial Before You Dig service. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the development site, the Applicant must discuss with Sydney Metro whether the services are to be relocated or incorporated within the development site.

Noise & Vibration

- 54. The development must:
 - (a) comply with State Environmental Planning Policy (Transport and Infrastructure) 2021 and the NSW Department of Planning & Environment's document titled "Development Near Rail Corridors and Busy Roads - Interim Guideline" (2008) and the Sydney Metro Underground Corridor Protection Guidelines (available from www.sydneymetro.info);
 - (b) be designed, constructed and maintained so as to avoid damage or other interference which may occur as a result of air-borne noise, ground-borne

noise and vibration effects that may emanate from the rail corridor during rail construction and operations; and

- (c) not have any noise or vibration impacts on the rail corridor or rail infrastructure.

55. The Applicant must:

- (a) prepare an acoustic assessment report which confirms compliance with each of the matters outlined in condition 54; and
- (b) incorporate as part of the development all the measures recommended in the acoustic assessment report; and
- (c) not have any noise or vibration impacts on the rail corridor or rail infrastructure.

A copy of the acoustic assessment report is to be provided to the Certifier and Council prior to a Construction Certificate being issued by the Certifier. The Certifier must ensure that the recommendations of the acoustic assessment report are incorporated in the construction drawings and documentation prior to issuing a Construction Certificate for the development.

Electrolysis

56. Prior to the issue of a Construction Certificate, the Applicant is to engage an electrolysis expert to prepare a report on the electrolysis risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the electrolysis report to control that risk. A copy of the electrolysis report is to be provided to the Certifier with the application for a Construction Certificate.

Prior to issuing a Construction Certificate for the development, the Certifier must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation.

Design

57. The roots and foliage of trees planted beside the rail corridor as part of the development must not impact on the rail corridor or rail operations. A final landscaping and planting plan demonstrating measures to ensure compliance with this condition must be prepared to the satisfaction of Sydney Metro. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.

Construction

58. No work is permitted within the rail corridor, or any easements which benefit Sydney Metro, at any time, unless the prior approval of, or an Agreement with, Sydney Metro has been obtained by the Applicant. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.

59. No rock anchors, rock bolts, ground anchors or rock ties, piles, foundations, rock pillars, transfer structures, basement walls, slabs, columns, beams, cut rock faces, are to be installed in the rail corridor, Sydney Metro property or easements unless the Applicant has obtained prior written consent from Sydney Metro. The Certifier must not issue a Construction Certificate for the development until it has received written confirmation from Sydney Metro that this condition has been satisfied.
60. Prior to the issuing of a Construction Certificate, the following information must be submitted to Sydney Metro for review and endorsement:
- (a) Machinery to be used during excavation/construction;
 - (b) Construction layout plan of equipment relative to Sydney Metro infrastructure;
 - (c) Demolition, excavation and construction methodology and staging; and
 - (d) Temporary works plan for any temporary works activities that may have a potential impact on Sydney Metro assets or operations.

The Certifier must not issue a Construction Certificate for the development until it has received written confirmation from Sydney Metro that this condition has been satisfied.

61. Prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements for the proposed works are to be submitted to Sydney Metro for review and endorsement regarding impacts on the rail corridor. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.
62. A monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Metro for review and endorsement prior to the issuing of a Construction Certificate. The monitoring plan is to be consistent with monitoring requirements defined in Sydney Metro Underground Corridor Protection Technical Guidelines. The Certifier must not issue a Construction Certificate until written Confirmation has been received from Sydney Metro that this condition has been satisfied
63. Prior to the issuing of a Construction Certificate, the Applicant must submit to Sydney Metro a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Metro requirements. If required by Sydney Metro, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Metro requirements. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from the Sydney Metro that this condition has been satisfied
64. Prior to the issue of a Construction Certificate the Applicant is to contact Sydney Metro's Corridor Protection Team to determine the need for public liability insurance cover and the level of insurance required. The Applicant must obtain insurance for the sum determined by Sydney Metro and such insurance

shall not contain any exclusion in relation to works on or near the rail corridor or rail infrastructure and must be maintained for the period specified by Sydney Metro. Prior to issuing a Construction Certificate for the development, the Certifier must witness written proof of any insurance required by Sydney Metro in accordance with this condition, including the written advice of Sydney Metro to the Applicant regarding the level of insurance required.

Reason: construction of the proposed development presents a risk of potential damage to the Sydney Metro - West rail corridor which is not in the public interest. This risk of damage to public infrastructure must be appropriately managed and mitigated

65. If required by Sydney Metro, prior to the issue of a Construction Certificate the Applicant must contact the Sydney Metro Corridor Protection Team to determine the need for the lodgement of a bond or bank guarantee for the duration of the works and the sum of any required bond or bank guarantee. Prior to issuing a Construction Certificate for the development, the Certifier must witness written confirmation from Sydney Metro that the Applicant has lodged any bond or bank guarantee required by this condition.

Reason: construction of the proposed development presents a risk of potential damage to the Sydney Metro - West rail corridor which is not in the public interest. This risk of damage to public infrastructure must be appropriately managed and mitigated.

66. Prior to the issue of a Construction Certificate, the Applicant must prepare and provide to Sydney Metro for review and endorsement a hydrogeologic assessment report demonstrating that any dewatering during construction will not have any adverse settlement impacts on the rail corridor. The Certifier must not issue a Construction Certificate until this report has been endorsed by Sydney Metro in writing.
67. Prior to the issue of a Construction Certificate, the Applicant must prepare and provide to Sydney Metro for review of a Construction Traffic Management Plan to ensure no adverse impacts to Sydney Metro operations. The Certifier must not issue a Construction Certificate until this Plan has been endorsed by Sydney Metro in writing.
68. Prior to the issue of a Construction Certificate, the Applicant shall provide an interface activities plan with Sydney Metro to Sydney Metro for review and approval. The Certifier must not issue a Construction Certificate until Sydney Metro approval has been provided in writing.
69. Prior to the issue of a Construction Certificate, any proposed alterations to Sydney Metro assets must be approved by Sydney Metro and any proposed changes may be subject to operator requirements. The Certifier must not issue a Construction Certificate until Sydney Metro approval has been provided in writing.

Drainage

70. The Applicant must ensure that all drainage from the development is adequately disposed of and managed and must ensure that no drainage is discharged into the railway corridor unless prior written approval has been obtained from Sydney Metro. The Certifier must not to issue a Construction Certificate or Occupation Certificate for the development unless this condition has been satisfied.

Documentation

71. Copies of any certificates, drawings, approvals or documents endorsed by, given to or issued by Sydney Metro must be submitted to Council for its records prior to the issue of any Construction Certificate.

HERITAGE NSW

Section 140 for test excavation

72. Prior to any works commencing or the issue of any Construction Certificate, a Section 140 Permit under the Heritage Act 1977 must be obtained for **further test excavations** to determine the full extent and integrity of State significant archaeological material on the site.

Particular attention must be given to the northern boundary area where historical mapping indicates an additional convict built hut.

All test excavation works must be carried out in strict accordance with the Section 140 Permit and any endorsed methodology.

Compliance and reporting

73. Prior to any works commencing or the issue of any Construction Certificate, and upon completion of the additional site investigations, a Final Excavation Report must be submitted to the City of Parramatta and Heritage NSW for written approval. The report must detail excavation outcomes, conservation treatments, reinstatement approach, and interpretation plans.

Any deviation from the approved methodology must receive prior written consent from the City of Parramatta and Heritage NSW.

Section 140 for Salvage Excavation and Reinstatement

74. Prior to any works commencing or the issue of any Construction Certificate, a Section 140 Permit under the Heritage Act 1977 must be obtained for:
- I. lifting sections of the land that include State significant archaeological material, for off-site conservation;
 - II. salvage excavation across the site of the remaining archaeological material; and
 - III. in situ reinstatement and public interpretation of State significant archaeological material.

This Section 140 Permit application must be informed by the Final Excavation Report, noted above, an submitted in compliance with the Section 140 permit for test excavation.

This Section 140 Permit application must be supported by technical documentation, to the satisfaction of Heritage NSW, demonstrating the safe removal, storage and conservation of all State significant archaeological material, including:

- (a) A specific work method statement for removal of all archaeological material, including an appropriate quantity of the existing soil profile. This information must include technical drawings as necessary to illustrate all steps in that process. The statement must be endorsed by a suitably qualified geotechnical engineer, the Primary Excavation Director and materials conservator.
- (b) All 'hold points' in the removal process which require inspection by Heritage NSW.
- (c) Details of the accredited conservation facility which will store the salvaged items
- (d) A schedule of conservation treatments for the salvaged archaeological material (e.g. cleaning, stabilisation, conservation) to be undertaken under the supervision of a qualified materials conservator.
- (e) Procedures for creating a comprehensive log of all conserved items, detailing provenance, treatment processes, and condition assessments.

All salvage, off-site conservation, and reinstatement works must be carried out strictly in accordance with the Section 140 Permit and the technical documentation approved by Heritage NSW

The development must proceed in accordance with the terms of any approval granted via this Section 140 Permit.

Reinstatement Strategy

75. Prior to any works commencing or the issue of any Construction Certificate, the applicant must prepare a satisfactory Reinstatement Strategy and submit it to Heritage NSW for written approval. The Reinstatement Strategy must demonstrate how the State significant archaeological material, which has been removed and stored off-site for conservation, will be reintegrated into the site within a publicly accessible ground floor area of the development.

This overall Strategy must be endorsed by a registered surveyor, the project architect and the Primary Excavation Director, and must:

- (a) Detail the measures that will be taken to ensure the archaeological material is returned to its original position, and set at its original RL, to ensure it is positioned to accurately reflect its original context and purpose.

- (b) Include a specific work method statement for reinstatement of all archaeological material, including the existing soil profile. This information must include technical drawings as necessary to illustrate all steps in that process. This part of the statement must be endorsed by a suitably qualified geotechnical engineer.
- (c) Include all 'hold points' in the reinstatement process which require inspection by Heritage NSW.
- (d) Include a preliminary revised ground floor plan, and relevant section and elevation drawings, showing the incorporation of the reinstated archaeological material in an orderly and efficient manner that also allows for appropriate heritage interpretation outcomes.

The development must proceed in accordance with the documents approved to satisfy this condition.

Heritage Interpretation Strategy

76. Prior to any works commencing or the issue of any Construction Certificate, and following the outcomes of the additional site investigations, a Heritage Interpretation Strategy must be prepared to the satisfaction of Heritage NSW. The Strategy must:

- (a) Ensure all proposed structural elements (including columns and lift shafts) are designed to avoid impacting the reinstatement area.
- (b) Include a Public Interpretation Plan developed in collaboration with heritage specialists and community representatives.
- (c) Ensure the State significant archaeological material, including the convict-built huts and subsequent School-phase alterations, are legibly displayed within publicly accessible ground floor areas, to enhance public understanding of all phases of the site's archaeological significance.
- (d) Incorporate multimedia elements, tactile displays, and written narratives to engage a broad audience. In this regard consider state-of-the-art precedents of archaeological display and interpretation in urban developments.
- (e) Include Interpretive signage or displays to communicate historical relevance, dating, construction techniques, and associated community narratives.
- (f) Provide space in the foyer or designated public access area for permanent and semi-permanent exhibition of conserved State significant archaeological material.
- (g) Include details of the long-term conservation and management of the State significant archaeological material on public exhibition.

This Strategy must be endorsed by the project architect, Primary Excavation Director and the nominated materials conservator.

The development must proceed in accordance with the documents approved to satisfy this condition.

Aboriginal Heritage Impact Permit Requirements

77. Prior to any works commencing, or the issue of any Construction Certificate, the applicant must obtain an Aboriginal Heritage Impact Permit for harm under Section 90 of the *National Parks and Wildlife Act 1974* in accordance with, but not limited to:
- a) The Aboriginal Heritage Impact Permit application must include appropriate documentation and mapping as outlined in *Applying for an Aboriginal Heritage Impact Permit: Guide for applicants* (2010) and the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales* (2010).
 - b) Aboriginal community consultation must comply with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010), and full documentation of the process must be provided.
 - c) The Aboriginal Heritage Impact Permit application must include complete records satisfying the requirements of the *Code of Practice for Archaeological Investigation of Aboriginal objects in NSW* (2010) including results of archaeological test excavations conducted.
 - d) The application must demonstrate consideration of protection and/or conservation outcomes. If these are not feasible, appropriate mitigation measures must be identified to manage impacts.
 - e) Long term management of Aboriginal objects must be determined in consultation with the registered Aboriginal parties.
 - f) A copy of the relevant development consent must accompany the Aboriginal Heritage Impact Permit application.

Amended architectural plans

78. Notwithstanding the plans at condition 1 prior to any works commencing or any Construction Certificate being issued, final revised architectural plans are to be prepared which document, to the satisfaction of Heritage NSW and the City of Parramatta Council, the following:
- (a) A revised ground floor plan showing the location of all reinstated State significant archaeological material following the outcomes of all site investigations.
 - (b) The location and RLs (in plan and section) of all State significant archaeological material which is to be reinstated within the development.

- (c) Full details of balustrading treatments to enable the display, and protection of all reinstated State significant archaeological material.
- (d) No significant alteration to Murray Brothers building façades.
- (e) Full details of all Heritage Interpretation measures in accordance with the Heritage Interpretation Strategy approved to satisfy conditions elsewhere in this Notice.

The development must proceed in accordance with the documents approved to satisfy this condition.

PLANNING

Amended architectural plans

79. Notwithstanding the plans at condition 1, no Construction Certificate shall be issued until a revised full set of architectural plans is submitted to, and approved by, Council's Group Manager- Development Traffic Services Unit (DTSU) to satisfactorily resolve the following matters:

Urban Design

- a) A sample board of all the proposed materials, including the shading device to the hotel glazing, is to be submitted for approval. The colour palette is to also be provided, and fully documented on all relevant drawings
- b) Detailed facade drawings are to be provided which confirm all external materials of construction, colours and finishes. For the lift core - while the air faced concrete with expressed joints is previously indicated is satisfactory, the colour should be warm as indicated in prior advice
- c) Full details and sections of the arcade and the Church Street façade of the required infill building in proximity to adjoining 211 Church Street Parramatta.
- d) The elevation of the new infill building, at the Church street frontage and in proximity to adjoining 211 Church Street Parramatta, must have equal spacing of the vertical elements across the width of the commercial lobby. It must **not** match the Murrays building, and must also be different in terms of:
 - a. masonry, could be a different material
 - b. articulation
 - c. colour
- e) Openings, which can glazed or open perforations, or a mix of both, are to be provided in the ground floor northern wall common with adjoining 211 Church Street Parramatta to give light and ventilation into the arcade space. The location of the openings should take advantage of visual connections with that adjacent building.

- f) The commercial lobby must include part of the retail area on Level 1 so that the elevation of the new 'infill' building matches the plan (i.e. The position of the ground and first floor walls at the Church Street boundary must align).
- e) Reinstatement of landscape planting (minimum area 5m x 2.5m continuous planter) and integrated seating into the Ngara Nura Way adjacent to new openings within the northern boundary wall
- f) All design amendments required as a consequence of the revised landscape plans referenced below.

Flooding

The following design changes are required regardless of whether or not the ground floor design is amended to resolve heritage matters required elsewhere in this consent.

Where adjacent street footpath ground levels are less than these Flood Planning Levels/Finished Floor Levels, transitions of floor levels must be provided within the buildings near each entry, including steps and ramps to Australian Standards and of minimised area. In some cases it may be possible to provide ramp access to these retail units from within the building via internal arcades while retaining steps only for external doorways, subject to compliance with Australian Standards.

Floor levels of retail units adjacent to Macquarie Street and Church Street must be increased to be not less than the relevant Flood Planning Level as follows:

- a) Marsden St site entrance and Marsden St - Macquarie St intersection specified Flood Planning Level/Required Finished Floor Level is RL **10.1 m AHD**
- b) Macquarie St. western site boundary specified Flood Planning Level/Required Finished Floor Level is RL **10.6 m AHD**
- c) Macquarie St – Church St intersection specified Flood Planning Level/Required Finished Floor Level is RL **11.1 m AHD**
- d) Church St - Northern end of property specified Flood Planning Level/Required Finished Floor Level is RL **11.0 m AHD**. (Commercial Entry Lobby at 10.5 m AHD rising to 10.813 m AHD is acceptable for lobby only.)

Shelter in Place

The revised plans must accommodate requirements for Shelter in Place noted elsewhere in this Consent.

Heritage

The revised architectural drawings must incorporate all design amendments required as a consequence of the discovery of any State or Nationally significant archaeological deposits or relics, in accordance with obligations elsewhere in this Notice.

Wind

The revised architectural drawings must incorporate all design amendments required as a consequence of wind tunnel testing to confirm mitigation measures in accordance with obligations elsewhere in this Notice.

Traffic

The plans must be amended to include an additional car lift (i.e. a total of 2) to service basement levels 4 and 5. The amended plans must be supported by:

- details of the operation of the proposed car lift system including the time it will take to service the car lift.
- A queue assessment for the 98th percentile queue to confirm that the car lift will not create excessive queues that may prevent delays or access issues within the car park. Note safe two-way access within the car should be maintained and should not be obstructed due to queued vehicles waiting for the car lift.
- Details of the measures that will be put in place in instances when the car lift is not operational.
- Details regarding how cyclists will be accessing the bicycle parking spaces on Basement Level 5, ensuring that the access is both safe and convenient. Note that cyclists should not require using the car lift to gain access to the bicycle spaces.

The development must then be completed in accordance with plans approved to satisfy this condition.

Reason: To implement the terms of this consent.

Amended landscape plans

80. Notwithstanding the plans at condition 1, no Construction Certificate shall be issued until a revised full set of landscape plans is submitted to, and approved by, Council's Group Manager- Development Traffic Services Unit (DTSU) to satisfactorily resolve the following matters:

- (a) Reinstate some planting (minimum area 5m x 2.5m continuous planter) and integrated seating into the Ngara Nura Way adjacent to new openings within the northern boundary wall (this will be in collaboration with Scott Carver Architects). Plant species are to be selected to suit the covered location and the layout, materials and finishes revised to reflect the Connecting with Country design principles shown in the June 2023 Landscape Development Application Report Co-Design with FCAD.
- (b) Soil depth and volume must meet the following prescribed standards in the Apartment Design Guide (ADG) – Part 4, *4P Planting on Structures – Tools for improving the design of residential apartment development* (NSW Department of Planning and Environment, 2015):
 - Typical tree planting on structure detail to show overall 800-1200mm soil depth. (Soil Volume to be reflective of proposed tree species size)

- Typical shrub planting on structure detail to show minimum 500-600mm soil depth,
- (c) Sections through the planters supporting the trees and shrubs over the basement and on podium level are required to show the above requirements.
- (d) All raised planters are to be restricted to a maximum height of 550mm where seating has been integrated to the top of wall.
- (e) Basement slab set-downs are to be indicated within the sections to ensure the required soil depth and volumes are met as per the ADG Part 4.
- (f) Palm / tree planting densities shall not exceed the prescribed soil volume and area as per ADG – Part 4 requirements.
- (g) A landscape maintenance schedule is required to ensure all landscape areas are well maintained for a sufficient period of time (minimum 1 year)
- (h) A soil specification ('Fit-for-purpose' performance description) for imported soil types to ensure sufficient nutrient and water availability is achieved.
- (i) Amend the scale bar on the landscape plans to the correct scale as it is showing 1:200 @ A1 which is incorrect.
- (j) Construction details are to be provided by a suitably qualified Structural Engineer showing substrate depth, drainage, waterproofing for all planting on structures, including planting over in raised planters and rooftop gardens.
- (k) An Irrigation plan and specification must be provided by a suitably qualified Hydraulic Engineer.

The development must then be completed in accordance with plans approved to satisfy this condition.

Reason: To implement the terms of this consent.

Infrastructure and Restoration Administration fee

81. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of a Construction Certificate.

The fee will be in accordance with 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.

Compliance with specialist reports

82. Prior to the issue of the relevant construction certificate, written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority stating that all recommendations/works/methods /procedures/control measures in the following reports have been implemented:

- (a) Acoustic Report No.301350609 Revision 006, dated 20 December 2022, prepared by Stantec Australia Pty Ltd
- (b) Contamination Assessment No. E25219E02.Rev02, dated 21 December 2022, prepared by (EI Australia Pty Ltd)
- (c) MGAC Access review (Ref: Rev 2 dated 16/12/21) and MGAC letter dated 13 November 2023
- (d) Crime Prevention Through Environmental Design report by Think Planners, Revision B, dated 15 December 2021
- (e) Acid Sulfate Soil Management Plan by EI Australia (ref: E25219.E14_Rev 0) dated 17 December 2021
- (f) All reflectivity measures nominated by condition elsewhere in this Notice.
- (g) All sustainability and ESD measures nominated elsewhere in this Notice.

Reason: To demonstrate compliance with submitted reports

Anchors on adjoining properties

83. Prior to the issue of any construction certificate, approval is to be obtained from all relevant property owners for any anchors that may be proposed beneath adjoining private property. If such approval cannot be obtained, then the excavated faces are to be shored or propped in accordance with the recommended geotechnical and structural engineers. If the use of the permanent or temporary rock anchors is required extending into the road reserve, then approval must be obtained and / or Transport for NSW in accordance with s138 of the Roads Act 1993 prior to the issue of any Construction Certificate. A fee is payable for this approval.

If rock anchors are approved they must be removed or de-stressed prior to the issue of any Occupation Certificate, in accordance with relevant approvals / licenses.

Note: If works impact a Council designated road, the consent holder is to contact Council's Property Officer to seek approval for rock anchors under s 138 of the Roads Act 1993, as well as any license required by Council.

Reason: to ensure the ongoing safety and protection of property

Acid-sulphate soils management strategy

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

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

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

External walls and cladding flammability

85. The external walls of the building including attachments must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of the relevant Construction Certificate and Occupation Certificate the Principal Certifier must:

- (a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and
- (b) Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.

Reason: To ensure building materials are sufficiently non-combustible.

Location of plant

86. Prior to the issue of the relevant Construction certificate, the Principal Certifying Authority must be satisfied that all plant and equipment (including but not limited to air condition equipment) is located within the basement or screened on the roof, except as explicitly shown otherwise on the approved drawings.

Note: Architectural plans identifying the location of all plant and equipment must be provided to the Principal Certifying Authority.

Reason: To minimise impact on surrounding properties, improved visual appearance and amenity for locality.

Energy Provider requirements - generally

87. Documentary evidence to the satisfaction of the Certifying Authority must be provided with the first application for a Construction Certificate confirming satisfactory arrangements have been made with an energy provider for the provision of electricity supply to the development.

Reason: To ensure adequate electricity supply to the development.

Energy Provider requirements for Substations

88. Documentary evidence to the satisfaction of the Certifying Authority is to accompany the application for any Construction Certificate confirming satisfactory arrangements have been made with the energy provider for the provision of electricity supply to the development.

If a substation is required by the energy provider, it must be located internally within a building/s in accordance with the details shown on the plans at condition 1.

Substations are not permitted within the front setback of the site or within the street elevation of the building; unless such a location has been outlined and approved on the Council stamped Development Application plans. Substations are not permitted within Council's road reserve.

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

Location of mains services

89. To reduce the extent of overhead cabling, all low voltage distribution and service mains required to facilitate the development must be underground both within the allotment boundaries and the public way. Details must be provided with the plans and documentation accompanying the application of a Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To provide infrastructure that facilitates the future improvement of the streetscape.

Outdoor lighting

90. All outdoor lighting must comply with the relevant provisions of AS/NZS 158.3: 1999 Pedestrian Area (Category P) Lighting and AS 4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

Details demonstrating compliance with these requirements must accompany the Construction Certificate application and be to the satisfaction of the Certifying Authority.

Reason: To provide high quality external lighting for security without adverse effects on public amenity from excessive illumination levels.

Cycle shower facilities

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

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

Noise Management Plan – Construction Sites

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

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

- (a) Identify sensitive location near the site;
- (b) Identify potential impacts (i.e. exceedance of the goals at the identified locations);

- (c) Mitigation measures to control noise and dust from the site, the noise reduction likely and the feasibility and reasonableness of these measures;
- (d) Selection criteria for plant and equipment;
- (e) Community consultation;
- (f) Details of work schedules for all construction phases;
- (g) Selection of traffic routes to minimise residential noise intrusion;
- (h) Schedule of plant and equipment use and maintenance programs;
- (i) Noise monitoring techniques and method of reporting results;
- (j) The methodology to be employed for handling and investigating any complaints should they arise;
- (k) Site induction details for employees and contractors; and
- (l) A declaration of available technologies and the reason for the selection of the preferred technology from a noise generating perspective should be included.

Reason: To maintain appropriate amenity to nearby occupants.

Construction Site Management Plan

93. Before the issue of any Construction Certificate, or the commencement of any works, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:
- location and materials for protective fencing and hoardings to the perimeter on the site
 - provisions for public safety
 - pedestrian and vehicular site access points and construction activity zones
 - details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
 - protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
 - details of any bulk earthworks to be carried out
 - location of site storage areas and sheds
 - equipment used to carry out all works
 - a garbage container with a tight-fitting lid
 - dust, noise and vibration control measures
 - location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.

Erosion and Sediment Control Plan

94. Before the issue of any Construction Certificate or the commencement of any works, the applicant is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:

- Council's development control plan,
- the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept on-site at all times during site works and construction.

Reason: To ensure no substance other than rainwater enters the stormwater system and waterways

Waste Management Plan

95. Before the issue of any Construction Certificate, or the commencement of any works, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:

(a) Council's Waste Management Development Control Plan

OR

- (b) details the following:
- the contact details of the person(s) removing the waste
 - an estimate of the waste (type and quantity) and whether the waste is expected to be reused, recycled or go to landfill
 - the address of the disposal location(s) where the waste is to be taken

The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.

Reason: To ensure resource recovery is promoted and local amenity protected during construction.

Dilapidation Report

96. Before the issue of any Construction Certificate, or the commencement of any works, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works, and public land, to the satisfaction of the certifier. If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier's satisfaction that all reasonable steps were taken to obtain access to the adjoining properties.

A copy of that report must be submitted to Council for its records prior to any works commencing.

Reason: To establish and document the structural condition of adjoining properties and public land for comparison as building work progresses and is completed.

Crime Prevention

97. Prior to the issue of the relevant Construction Certificate the Principal Certifier shall be satisfied that the recommendations of the Crime Prevention Through Environmental Design report, by Think Planners, Revision B, dated 15 December 2021, are implemented in the development. In addition, the following requirements also apply:

- a) All mailboxes (if any) must be located inside each building and positioned so that mail can only be removed from inside a private space that is fitted with access control to prevent non-residents from accessing the area;
- b) Each mailbox must be fitted with an individualised key lock or, alternatively, individual electronic access;
- c) Implement a CCTV system to provide 24/7 surveillance of all building entry and exit points (including car park entry and exit), mail box area, as well as park areas, footpaths and publicly accessible areas. The CCTV system operated by the complex should comply with Australian Standard AS/NZS 62676-20206. Images should be retained for a minimum of 30 days before deletion.
- d) Security system to be provided in the basement to distinguish between the public and private parking areas to prevent unauthorised access to private basement parking and storage areas;
- e) If any basement storage compartments are provided, they must be secure, with solid, opaque walls and door and fitted with an individualised key lock.
- f) Fire exit doors should be fitted with measures to restrict unauthorised access.
- g) A 'swipe' card system or the like shall be used to control access to all service areas.

Reason: To ensure the development is implemented as proposed.

DESIGN EXCELLENCE

Detailed Drawings

98. Prior to the issue of each relevant Construction Certificate the applicant shall submit for approval by Council's Group Manager Development and Traffic Services the following:

- Construction architectural drawings including
 - key elevations,
 - partial plans and
 - partial sections (at 1:20 or 1:50) through external walls, balconies, pergolas, and other key external details
- Construction landscape drawings;
- Samples of all external materials, in particular the external glazing, façade detailing, and colour palette;

- Revised 3D photomontages; and
- Construction drawings and photomontages of the proposed treatment to the balconies, windows and other external openings which prevent the throwing of objects onto the light rail corridor.
- Demonstration that the Bird Friendly Design objectives and / or controls contained in the PDCP 2011 have been addressed.

Council's DTSU Group Manager will consider the advice of the Design Excellence Jury and/or Council's Design Excellence Team as part of their assessment.

Where matters are identified which are not satisfactory, resolution shall be required prior to approval.

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

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

Façade visual mock-up

99. Prior to the issue of **any Construction Certificate relating to the façade**, the applicant shall submit/present to and have approved by Council's Group Manager Development and Traffic Services (DTSU) a 1:1 manufactured full experience VMU of key junctions of the external facades (minimum 1m x 1m dimension).

Council's DTSU Manager will consider the advice of the Design Excellence Jury and/or Council's Design Excellence Team, and Council's Environmentally Sustainable Design (ESD) consultant (if relevant), as part of their assessment.

Where matters are identified which are not satisfactory, resolution shall be required prior to approval.

The development shall be completed in accordance with the approved VMU.

Note. It is critical that this condition be completed before costing/ordering facade as changes may be required.

Reason: To ensure design excellence and environmentally sustainable development outcomes are achieved.

SUSTAINABILITY

NABERS obligations

100. Prior to the issue of the relevant Construction Certificate for works above ground level, the applicant must submit evidence, to the satisfaction of Council's Group Manager, Development and Traffic Services, which demonstrates compliance with the following matters:

- (a) That the design and documentation of the office portion of the building includes all measures required to deliver the NABERS Energy rating and requirements of the NABERS Energy commitment agreement.
- (b) That the design and documentation of the hotel portion of the building includes all measures required to deliver the NABERS Energy rating and requirements of the NABERS Energy commitment agreement
- (c) That the design and documentation of the office portion includes all measures required to deliver the NABERS Water rating.
- (d) That the design and documentation of the hotel portion includes all measures required to deliver the NABERS Water rating.

Reason: To comply with the ESD provisions of Parramatta LEP

ESD measures

101. Prior to the issue of the relevant Construction Certificate, the following must be demonstrated to the satisfaction of the Council's Group Manager, Development and Traffic Services:

- a) Solar photovoltaic panels are provided to the maximum extent of the capacity of the roof.
- b) All new air-conditioning and refrigeration equipment are to use refrigerants with a GWP of less than 10, unless it can be confirmed that:
 - i) The equipment cannot be supplied on similar terms to conventional systems, or;
 - ii) the equipment will cost 10% more than conventional systems.
- c) All glazing projecting vertically more than 1m above the roof is adequately treated to minimise the risk of bird strike.
- d) The building and its end uses are to be delivered as an all-electric building and are not to be connected to the natural gas network.
- e) A dual reticulation (dual pipe) system is to be installed throughout the development to support the immediate or future connection to a recycled water network. If a recycled water network is not currently available, the design of the dual reticulation system is to be such that a future change-over to an alternative water supply can be achieved without significant civil or building work, disruption or cost. To facilitate this, the dual reticulation system is to have:
 - i. One reticulation system servicing drinking water uses, connected to the drinking supply, and
 - ii. One reticulation system servicing all non-drinking water uses.
 - iii. The non-drinking water system is to be supplied with harvested rainwater, with drinking water backup, until such time as an alternative water supply connection is available.
- f) Rainwater collection and reuse is to be installed, with adequate storage capacity and roof collection area to capture at least 90% of typical annual rainfall to serve all nondrinking water use through the dual reticulation system.

- g) The building has been designed to achieve a 5 star Green Buildings demonstrated through a design review certification from the Green Building Council of Australia.
- h) A minimum Level 2 40A fast charger and supporting electric vehicle charging infrastructure is to be installed for every 10 commercial car spaces distributed throughout the car park to provide equitable access.

Notes:

A Shared EV Connection is the provision of a minimum Level 2 40A fast charger and Power Supply to a car parking space connected to an *EV Distribution Board*.

An *EV Distribution Board* is a distribution board dedicated to EV charging that is capable of supplying not less than 50% of EV connections at full power at any one time during off-peak periods. This will ensure that the impacts of maximum demand are minimised, and that increases to electrical feed sizes are not required. To deliver this, the distribution board will be complete with an *EV Load Management System* and an active suitably sized connection to the main switchboard. The distribution board must provide adequate space for the future installation (post construction) of compact meters in or adjacent to the distribution board, to enable the body corporate to measure individual EV usage in the future.

An *EV Load Management System* is a system capable of:

1. Reading real time current and energy from the electric vehicle chargers under management
2. Determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are full recharged.
3. Scale to include additional chargers as they are added to the site over time.

Reason: To meet sustainability obligations.

REFLECTIVITY

Reflectivity – materiality and further analysis

102. Prior to the issue of the relevant Construction Certificate for works above ground level, the following must be demonstrated to the satisfaction of the Council's Group Manager, Development and Traffic Services:

- a) All opaque materials used on the facade must have a specular solar light reflectivity of no greater than 20%
- b) The specific limits to glazing visible light reflectivity of 15% (measure at the normal angle) are to be applied to the area indicated in Figure 37 of

the 197 Church St Solar Reflectivity Analysis report by RWDI dated September 22, 2023 are to be installed.

- c) Additional solar reflectivity and glare analysis are to be undertaken to provide a detailed assessment of the reflectivity impacting light rail drivers navigating the turning from Macquarie St into Church Street. The analysis shall consider the full range of visual scanning needed to survey for pedestrian hazards when approaching and navigating the turn. The analysis will include the demonstration of the adequacy of proposed mitigation measures where required.
- d) All other glazing not scheduled or documented otherwise must have a visible light reflectivity not greater than 20% (measured at the normal angle).

The development must then be completed in accordance with the details approved to satisfy this condition.

Reason: To deliver the solar reflectivity (glare) objectives of the DCP.

ACCESSIBILITY

Accessibility – design requirements

103. Prior the issue of the relevant Construction Certificate the PCA shall ensure the building is designed to satisfy the requirements of the following:

- National Construction Code (BCA) Volume one 2019
- Australian Standard AS1428.1-2009, Design for access and mobility Part 1, General Requirements for access – New Building work.
- Australian Standard AS1428.2 - 1992, Design for access and mobility Part 2, Enhanced and additional requirements- Buildings and facilities.
- Australian Standard AS1428.4.1-2009, Design for access and mobility Part 4.1 Means to assist the orientation of people with vision impairment-Tactile ground surface indicators
- Australian Standard AS/NZS 2890.6 2009 Part 6; Off street parking for people with Disabilities

In this regard, the following documents are noted:

- The MGAC Access review (Ref: Rev 2 dated 16/12/21)
- The MGAC letter dated 13 November 2023

The applicant and PCA are to note:

- The junction of the existing footpaths and proposed retail and pedestrian areas must provide level transitions. (lower levels between inside and outside)

- No deformation of the footpaths will be tolerated with all level changes to be addressed within the tenancies.
- Equitable access must be provided through the principle entrance of the hotel from Marsden Street.
- To meet the intent of the DDA, provide a section at the reception/ sign in areas for patrons and visitors with disabilities to carry out transactions.
- The communal areas will require suitable accessible, inclusive features/furniture
- Spiral stairs and curved treads are not accessible BCA D2.1.3 (b) Ground, 1st and H30 -H30 Mezzanine. Access and signage will be required to ensure alternative access to the upper levels serviced by the non-compliant spiral stairs.
- Access and signage will be required to ensure access to sanitary facilities associated with the ground floor all day dining.
- The pool will need to provide an accessible means of entry as per AS1428.1 Table D3.2.

Reason: To meet legislative obligations

Accessible hotel rooms

104. At least 10 accessible rooms shall be provided within the hotel, distributed proportionately across the mix of hotel room types (ideally at least 1 accessible room for each room type). Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifier prior to the issue of the relevant Construction Certificate.

Reason: To maximise accessible options

WIND

Wind tunnel testing

105. Prior to the issue of any Construction Certificate for works above ground level, an updated wind tunnel report, based upon the final design amendments as required elsewhere in this Notice, must be submitted for the approval of Council's Group Manager, Development and Traffic Services. That report must:

- a) provide the results of wind tunnel testing of all balconies and terraces of the commercial tower, including the podium, as well as for the level 10 terrace of the hotel
- b) Identify any proposed mitigation measures required for those locations – noting that landscaping is not acceptable for the level 10 terrace
- c) Provide the results of wind tunnel testing of those mitigation measures to demonstrate their efficacy
- d) Include updated architectural and landscape plans as appropriate to illustrate the required mitigation measures

The development must then be completed in accordance with details within this report, with certification from a suitably qualified person that all required

mitigation measures are installed issued prior to the release of the relevant Occupation Certificate.

Reason: To ensure a safe and comfortable environment

LANDSCAPING

Tree protection

106. A Methodology Statement, prepared by a suitably qualified Consulting Arborist (Australian Qualification Framework Level 5), must accompany the application for a Construction Certificate. This statement is to identify the measures to be implemented for protection of the street trees numbered 1 to 5 along Church Street during demolition and construction and the expected future health of the trees. The statement is to be structured so that each of the following stages of construction are individually addressed and supervised by the Project Arborist:

- (a) Tree protection measures inclusive of canopy, trunk and root zone to be clearly identified and discussed in accordance with AS 4970-2009 - *Protection of Trees on Development Sites*;
- (b) Supervision of any minor excavation to be undertaken within the calculated Tree Protection Zones of the above nominated trees.
- (c) Installation of services or paving (i.e. using non-destructive sensitive construction method, bridging of roots, under-boring, hand-digging) and Back filling;
- (d) A Tree Protection Plan to identify the specific type of tree protection measures and location required for each tree;
- (e) Plus any other stages that the Consulting Arborist deems necessary.

Reason: To ensure adequate protection of existing trees.

PUBLIC DOMAIN

Public Domain Construction Drawings

107. Prior to the issue of the relevant Construction Certificate for any construction work relating to the public domain works or any publicly accessible internal site works, a set of detailed **Public Domain Construction Drawings** as per chapter 2 of the Parramatta Public Domain Guidelines, must be submitted to and approved by Council's Development and Traffic Services Unit (DTSU) Manager. The drawings shall address, but not be limited to, the following areas:

- All the frontages of the development site between the gutter and building line, including footpath, drainage, forecourt, front setback,
- Any publicly accessible internal areas,
- Any works in carriageway,
- Works to integrate with adjacent public amenity, and

- Onsite landscape work

Grading of the pedestrian footway:

- Localised flattening of public footpath levels at building doorways is not permitted. Any change of level required to provide compliant access to the building must be achieved behind the property boundary line.
- Localised ramps are not permitted in the footway. Longitudinal grading must follow the gradient of the top of kerb line unless agreed otherwise with Council. Ramping of the footway to suit adjacent building entry/access requirements will not be accepted.
- **All public footpaths must drain positively away from the building line to the kerb.**

The Public Domain Construction Drawings and specifications shall be prepared in accordance with:

- The latest City of Parramatta Public Domain Guidelines (PDG);
- The approved public domain drawings,
- The approved public domain alignment drawings,
- The approved landscape drawings, and
- All the conditions listed in this consent.

Important - Coordination with services: The Public Domain Construction Drawings must be prepared after test pits have been dug and inspected within the public domain, and it is confirmed that all proposed street trees shown on the stamped DA drawings are possible to be planted and there are no clashes with any services, existing or proposed.

Council will not entertain deleting / removal of any trees at CC stage due to a services coordination or any other construction issue.

It is assumed at this stage that there are no clashes or conflicts with any services existing or proposed.

The Public Domain Construction Drawings must be prepared to reflect the following comments:

- The drawings must include layout, levels, contours, long cross sections and details of all public domain areas and all publicly accessible internal areas including internal ground floor levels of all tenancies accessible from the public domain.
- All footpaths must drain positively away from the building line towards the kerbs. Any existing works to be retained not built to these standards must be re-built to reflect this design requirements.
- No ground floor levels should be below adjoining footpath levels at entries to avoid water getting into the buildings.
- Warning TGSIs in accordance with AS1428 to be provided at all kerb ramps and vehicular crossovers.

- Any localised ramps and level changes to occur behind the building line and should merge seamlessly with the public footpath.
- All new paving must merge seamlessly in terms of levels with existing paving on either side of the property boundary. The existing paving may need to be re-done up to 2m or as agreed with Council to enable this.
- All works along Church Street and Macquarie Street should match to the existing PLR works in terms of materials and finishes.

Reason: To ensure the public domain is constructed in accordance with Council standards.

Footway Specifications

108. Notwithstanding the approved Public Domain Drawings and Public Domain Alignment Drawings, the following requirements shall be included in the Public Domain Construction Drawings:

Footpath

The standard 'City Centre Paving' concrete paver, as per the PDG, **Pebblecrete, product PPX:544:35D, 300x300x60mm**, with **honed finish** shall be applied to the entire public domain areas in **Marsden Street** to the full length of the development site. This includes the public footway and any setback between the building/podium line and property boundary.

For unit paving, the footpath paving set out and details must comply with Council's design standard (DS40, sheet 1-3).

And,

Adelaide Black granite pavers, as per the PDG, with **exfoliated finish** shall be applied to the entire public domain areas in **Macquarie Street**, all through site links and to all areas to be made good along **Church Street**, to the full length of the development site. This includes the public footway and any setback between the building/podium line and property boundary.

The footpath paving set out and details must comply with Council's design standard (DS45).

Note: Acquiring Adelaide Black currently comes with a long lead time. Adequate quantities of the same should be pre-ordered at a very early stage of the project to secure the quantities required, so as not to jeopardise the work program.

Evidence of the order must be submitted to the DTSU with the Public Domain Construction Drawings.

Size and stone type adjustments based on lack of project co-ordination will not be permissible.

Unit paving layouts to be shown as part of drawings, including slab jointing. Paver layout to include detailing around all corners, around ramps, splays and cut

pavers as required. Order larger unit pavers as necessary to minimise need to cut pavers around edges.

A copy of the Design Standard (DS) Drawings referenced above is available on the Council Website (<https://www.cityofparramatta.nsw.gov.au/sites/council/files/2023-02/SD-INDEX-FINAL.pdf>) or can be obtained from Council's Customer Service department on 9806 5050, Mon – Fri (8:30am-4:30pm).

Kerb Ramps

Kerb ramps as required along Marsden Street must be designed and located in accordance with Council's design standards (DS40 sheets 1-3), using **Pebblecrete, product PPX:544:35D, 300x300x60mm, shot blast finish**, and

Kerb ramps along Macquarie Street must be designed and located in accordance with Council's design standards (DS45 sheets 1-7), using **Adelaide Black granite pavers** with exfoliated finish as per the PDG.

Kerb ramps are to be aligned to kerb ramps on the opposite side of the road.

Vehicle Crossing

Council's standard vehicle crossing is to be provided. Refer Council's design standards (DS40 sheets 1-3 and DS10), using **Pebblecrete, product PPX:544:35D, 150x150x60mm, honed finish** for all crossings along Marsden Street and (DS45 sheets 1-7), using **Adelaide Black granite pavers** with exfoliated finish **for all vehicle crossings** along Macquarie Street.

Pit Lids, Frames and Grates

All Pit lids and grates in paved areas of the public domain should be level with the paving around and aligned with the paving pattern as per the PDG. Joints should be coordinated where possible. Where allowed by the service providers, the pit lids should be infilled with the surrounding paving material.

All Pit lids, frames and covers in the public domain must be of class 'C' load bearing capacity as per AS 3996 and DS 25 in all pedestrian areas and class 'D' for all shared zones.

Drainage grates on an accessible path of travel and within common areas, are to have slots or circular openings with a maximum width of 13mm. Slots are to be laid with the long dimension at right angles to the paths of travel.

Tactile Indicators (TGSIs)

TGSIs must be used on the public footpath and comply with the requirements in the Public Domain Guidelines and the latest versions of AS1428.1 and AS1428.4. The TGSIs must be installed in the locations as shown on the approved Public Domain Construction Drawings.

Clear Path of Travel (Shore-Lining)

Council continues to develop uniform design approach(s) to delineating a clear path of travel past complex built forms at the footway level. Options could include,

but not be limited to, change in pavement colour, textures and or other visual aids etc. that meet DDA requirements. Final design solutions to suit the project are to be proposed by the applicant for consideration and inclusion in the Public Domain Construction Drawings prior to issuing of CC approval.

Steps, Handrails and Ramps

Any steps, handrails and ramps in public domain or publicly accessible private spaces must comply with the latest version of AS1428.1 and AS1428.4

Where ramps are concerned, preference is to achieve ramps which do not require handrails (i.e. make them flatter than 1:20).

All steps, handrails and TGSIs required to access the private property, must not protrude into the public footway.

Sealant

Pre and post sealant applications to be applied to all stone and concrete unit paved surfaces in the public domain in accordance with Council requirements.

Slip Resistance

All stone and pebblecrete paving (concrete pavers) shall have **non-slip surfaces** that comply with a P4 (for stone) or P5 (for concrete pavers) rating as per AS4586:2013.

Independent slip resistance test results of completed works and after application of sealant, should be submitted complying to P5 Classification (Wet Pendulum Test).

For the pebblecrete paving (concrete pavers) apply 2 coats of solvent based single pack acrylic coating with Size 36/46 Aluminium Oxide grit, and one topcoat with the same product.

For all non-council standard pavements, the applicant shall provide test results (after applying paving sealant) to prove applicable pavement material and finishes used in the publicly accessible areas and any plaza areas are **non-slip surfaces** that comply with a P4 (for stone) or P5 (for concrete pavers) rating as per AS4586:2013. Independent slip resistance test results to P5 Classification (Wet Pendulum Test) of completed works should be submitted.

Street Furniture

Street furniture selection and detail shall be to Council's requirements where the furniture is located in publicly owned land. Street furniture in the public domain must comply with Council's Public Domain Guidelines.

Cycle racks

Public bike racks shall be supplied and equally distributed (clusters of max 4-off racks) to the furniture zone of Macquarie Street and Marsden Street as per the PDG. Location outside of this zone to be agreed by Council's DTSU Manager prior to issue of Construction Certificate.

Cycle racks are to be located so that bicycles do not encroach onto the public footway.

Lighting

Pedestrian and Council-owned street lighting shall comply with City of Parramatta Street Lighting Guidelines 2019 and all relevant Australian Standards, including but not limited to AS1158.

All the lighting features in the public domain shall be detailed in the Public Domain Construction Documentation.

All new lighting design shall be carried out and certified by a full member of IESANZ.

Street lights in the public domain to be located at the back of kerb within the furniture zone as per the PDG.

Electrical Reticulation

Electrical design shall comply with AS/NZS3000 and, if any electricity distributor assets are involved, all requirements of the electricity distributor.

All electrical designs shall be undertaken by a competent practising electrical engineer.

For Council's owned lighting, electrical design shall be submitted to Council for review and approval.

The location of any distribution board is to be in a position off the public street, wherever possible, and out of the main path of travel. The location must be approved by Council.

Electrical Design Certificate signed as compliant by ASP Level 3 designer.

Construction and General

All new LED luminaires shall include 7pin NEMA socket.

All assets handed over to Electrical Distributor must meet their relevant standards (Ausgrid Network Standard NS119 & Endeavour Energy Network Standard)

All assets handed over to Council must meet City of Parramatta Street Lighting Guidelines 2019

The Developer shall be responsible to reimburse Council for any residual values for assets removed prematurely.

Multi-media conduit

All multi-media conduit installations must comply with the relevant Australian Standards for communication infrastructure.

A conduit for Council's multi-media facilities shall be installed to the full length of the street frontages. The conduit must be positioned and installed in accordance with Council's design standard drawing and specifications.

Design should consider the capacity and accessibility of multimedia conduits. Ensure conduits have sufficient capacity to accommodate various communication technologies to meet current and anticipated future needs of the community. Coordinate with City of Parramatta. High-quality and durable materials for multi-media conduit infrastructure to ensure longevity and maintenance and upgrade requirements. Prior to handover, conduct a joint inspection of the assets to ensure compliance with design and installation standards.

Electrical Pillars

Green Pillars for electrical connections, where required, should be coordinated with public domain elements, be outside the clear path of travel, shown on drawings, and must be neatly located 100mm away from the face of the building / property boundary wall (as applicable) and be installed square and plumb. Any existing green pillars must be moved and relocated as necessary to achieve the above.

Documentary evidence of compliance with these requirements is to be confirmed in the **Public Domain Construction Drawings** to be submitted to and approved by Council's DTSU Manager prior to the issue of the relevant Construction Certificate.

Street tree specification

Required street tree species, quantities and supply stocks are:

Street Name	Botanical Name	Common name	Pot Size	Qty	Average Spacing
Confirm with Council prior to submission of plans to satisfy this condition.					

Notes:

- Large trees should be pre-ordered at a very early stage of the project, as they are in short supply, to secure the specified size is required.
- Size and species adjustments based on lack of project co-ordination will not be permissible.
- Evidence of the order for trees must be submitted to the DTSU with the Public Domain Construction Drawings.
- When the construction drawings are submitted, it is assumed that all tree locations have been coordinated with existing and proposed services. Reduction in number of trees as shown on the construction drawings is not permissible and Council will not entertain any changes to the tree numbers (or agreed soil volumes) once drawings have been approved.

All trees supplied must be grown in accordance with AS2303:2018 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2018. A copy of this certificate is to be forwarded to

Council with the Occupation Certificate.

The requirements for height, calliper and branch clearance for street trees should be in accordance with AS2303:2018. Consistent tree pit size and construction is to be used throughout the public domain areas around the site for the street tree planting. The street tree must be planted in accordance with Council's design standard, available on the Council website, with adequate clearances to other street elements in accordance with the Public Domain Guidelines.

A quality soil volume creating structural pavement system is required around proposed street trees *in paved areas* in the footway and publicly accessible pedestrian areas to mitigate against soil compaction and to maximise aeration and porosity in the tree root zone. Suitable systems include suspended concrete slabs or structural cells such as strata cells. Tree grates may be required depending on location of the site. For details and locations refer the PDG.

The base of all tree pits shall incorporate a drainage layer and pipe that connects to nearest stormwater pit and must be shown on the Public Domain Construction Drawings, subject to Landscape Management Officer's advice. The invert level of the storm water pit receiving the drainage water from the tree pits is also to be shown on the Public Domain Construction Drawings.

Calculations demonstrating tree pit and soil volume compliance as per the PDG are to be included in the Public Domain Construction Drawings. Soil volume calculations are to be based on a maximum depth of 1.2 m excluding any drainage layers.

Documentary evidence of compliance with these requirements is to be confirmed in the **Public Domain Construction Drawings** and submitted to and approved by Council's DTSU Manager prior to the issue of the relevant Construction Certificate.

Reason: To comply with the Public Domain Guidelines.

TRAFFIC

Traffic restrictions

109. Exit from the site is to be restricted to a Left out arrangement only. A median island or similar is to be installed on Marsden Street to restrict right turn manoeuvring out of the development. Detailed engineering design plans of the preferred treatment is to be submitted to Council's Traffic and Transport Manager for consideration by the Parramatta Traffic Committee and approval by Council. The construction of the approved treatment is to be carried out by the applicant and all costs associated with the supply and construction of the median island and appropriate signage are to be paid for by the applicant at no cost to Council and Transport for NSW.

Reason: To ensure maintenance of traffic flow and safety on the surrounding

road network.

Compliance with Australian Standards

110. The PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS 2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate application.

Reason: To ensure appropriate vehicular manoeuvring is provided.

Bicycle parking

111. 390 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-2015. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements.

Motorcycle parking

112. Seven (7) motorcycle spaces are to be provided on-site and used accordingly. The dimensions of the motorcycle spaces are to comply with Clause 2.4.7 and Figure 2.7 of AS 2890.1-2004. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements.

Car parking

113. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS 2890.2 and AS 2890.6.

A maximum of 126 parking spaces are to be provided as follows:

- a) A maximum of 43 spaces for commercial tenancies;
- b) A maximum of 42 spaces for hotel including seven (7) valet spaces;
- c) A maximum of 30 spaces for retail tenancies;
- d) Two (2) car share spaces.
- e) Nine (9) accessible parking spaces,

Tandem parking spaces are to be allocated to the same commercial tenancy. Details are to be illustrated on plans submitted with the relevant construction certificate application.

Electric Vehicle charging bays are to be provided and be allocated as per other conditions elsewhere in this Notice.

Reason: To comply with Council's parking requirements, Australian Standards and [Federal legislation](#)

Location of accessible parking

114. To increase opportunities for evacuation of disabled and frail people, accessible car parking spaces are to be located as high as possible in the

basement carpark. Details shall be submitted for the approval of the PCA prior to issue of the relevant Construction Certificate.

Reason: Flood protection and flood risk management

Car share parking spaces

115. Two (2) car parking spaces are to be allocated for car share parking space. Car share parking spaces shall be publicly accessible at all times, adequately lit and sign posted. Written evidence shall be provided with the development application demonstrating that offers of a car space to car share providers have been made together with the outcome of the offers or a letter of commitment to the service. The PCA shall ascertain that agreement with a commercial operator is subscribed prior to issue of the construction certificate. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's Development Control Plan.

Driveway treatment

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

For the driveway exiting the basement car park and the loading bay onto Marsden Street, a combination of a speed hump, convex mirror and a screen with a feed from a pedestrian camera is to be provided to ensure that motorists slow down and have a clear view of pedestrians along the footpath before crossing the property boundary line.

Full details, to the satisfaction of Council's Group Manager DTSU are to be submitted for approval prior to the issue of the relevant Construction Certificate.

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

Convex mirrors

117. Convex mirrors, as shown on the architectural plans or as otherwise required to comply with conditions, are to be installed with their height and location adjusted to allow drivers a full view of the driveway in order to see if another vehicle is coming through. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To ensure safety of drivers.

Car park control point

118. The control point at the car park entrance is to be located where adequate queuing length between the vehicular control point and the property boundary is provided in accordance to Clause 3.4 of AS 2890.1-2004 to allow free influx of traffic which will not adversely affect traffic or pedestrian flows in the frontage road. Details are to be submitted to Council to the satisfaction of Council's Traffic and Transport Manager prior to the issue of the relevant construction certificate.

Reason: To comply with Australian Standards.

Loading Dock Management Plan

119. Prior to the issue of the relevant construction certificate, the applicant shall submit a Loading Dock Management Plan to the satisfaction of Council's Traffic and Transport Manager, in consultation with Transport for NSW. The Plan must address the following matters:

- Delivery requirements and service schedules;
- Operational aspects on how to use facilities; and
- Management duties and responsibilities.

Reason: To ensure compliance with the Parramatta DCP 2011 and reduce kerbside stopping reliance.

ENGINEERING

Tanked construction

120. The basement must be constructed as fully tanked (waterproof). Draining or pumping of groundwater from the site is not permitted (except during construction). Basement walls and floor slabs must be designed, certified by a practising qualified structural and hydraulic engineer, and built to withstand full hydrostatic loads. The basement must include below ground drainage systems to convey groundwater across the site from one side of the basement to the other such that groundwater flow is not impeded by the development. Design details shall be submitted for the approval of the Group Manager DTSU prior to Construction Certificate and implementation shall be completed to the satisfaction of the PCA prior to Occupation Certificate.

Reason: Safe sustainable basement

Ventilation of basement

121. Below ground designs must include adequate ventilation of the basement carpark during the PMF event. The inlet/outlet vents of ventilation shafts are to be located above the PMF level. Details shall be submitted for the approval of the PCA prior to issue of the relevant Construction Certificate.

Reason: Flood protection and flood risk management

Flood Protection

122. Satisfactory documentary evidence must be submitted to Council's Group Manager Development and Traffic Services (DTSU) for approval prior to the issue of the relevant Construction Certificate incorporating the following matters within the building design:

- a) In addition to existing design measures, provision and operation in perpetuity of flood gates, roller shutters, flood doors, lift protection and other floodproof barriers to prevent flood waters entering the basement in all floods up to the PMF (RL 12.9m AHD). These flood exclusion measures must be designed to comply with the Parramatta City Centre DCP 2011.

Specifically, the crest in the vehicle access on Macquarie Street must be supplemented by flood gates, roller shutters, flood doors, lift protection and other floodproof barriers to prevent flood waters entering the basement in all floods up to the PMF level of RL 12.9m AHD.

- b) Provision and operation in perpetuity of a flood-free (for any flood up to the PMF) pedestrian egress from all basement levels to the Shelter in Place Refuges using flood exclusion doors etc as needed. This pedestrian egress must be designed to comply with the Parramatta City Centre DCP.

Details of the above must be submitted to Council's Group Manager Development and Traffic Services Unit (DTSU) for approval prior to release of the relevant Construction Certificate.

Reason: To ensure the development maintains adequate flood protection.

Design to withstand floodwater

- 123. Prior to the issue of any relevant Construction Certificate, the PCA must be provided with certification that the building is designed and certified by a registered structural engineer and hydraulic engineer to ensure the building does not fail due to floodwater forces, debris and buoyancy effects from flooding in all events up to the Probable Maximum Flood.

Reason: To ensure the structure can withstand flooding impacts.

Flood Emergency Response Plan

- 124. Prior to release of any Construction Certificate for works above the podium level, the applicant must submit for the approval of Council's Group Manager DTSU a Flood Emergency Response Plan which is consistent with the Parramatta DCP 2011 City Centre controls and the NSW Flood Risk Management Manual 2023 and associated Toolkits. The FERP must include and address the following and any other relevant aspects of the development:

- a) Warning and evacuation measures for all building occupants;
- b) Measures to prevent evacuation from the site by private vehicle;
- c) The most appropriate emergency response for flood and fire that occur together;
- d) Evidence of consultation with the relevant state and local agencies; and
- e) A Building Flood Emergency Response Plan [and Management System](#)
- f) Provisions for Shelter in Place, which must include and satisfy requirements nominated elsewhere in this Notice.

Reason: To ensure the development maintains adequate flood protection and reduces risk of harm and meets the requirements of the DCP.

Shelter in Place

- 125. Prior to release of any Construction Certificate for works above the podium level, the applicant must submit for the approval of Council's Group Manager DTSU revised architectural plans which identify:
 - a) Provision and operation in perpetuity of Shelter in Place (SIP) flood refuges above the PMF of adequate capacity for all occupants and visitors to the development allowing for a stay by occupants of not less than 72 hours. The

SIP refuges shall be designed in accordance with Council's Parramatta DCP 2011 – Flood Warning and Emergency Response Planning controls, including but not limited to:

- i. suitably sized place of refuge.
- ii. emergency electricity supply, clean water, food, personal washing facilities, medical equipment including a first aid kit, a battery-powered radio and relevant communications equipment.
- iii. fail-safe access from anywhere in the building, including the basement, (noting lift access is not allowed) that is protected from floodwaters up to the PMF by suitable flood doors, flood gates and the like.
- iv. access to the SIP must be available for all occupants at all times during flood and there must be provision of emergency back up power, water supply and sewerage for all hotel units and common facilities, including back up power for lifts.

Reason: To ensure the development maintains adequate flood protection and meets the requirements of the DCP.

Stormwater Disposal

126. Stormwater shall be generally in accordance with The Stormwater Report by Northrop 19 09 2023 REV G subject to any conditions of this consent. Rainwater and stormwater provision for the individual buildings is to allow for wind driven rain against the sides of the towers, including for stormwater capture, management and detention. Details shall be submitted for the approval of the PCA prior to Construction Certificate.

Reason: To ensure appropriate water quality treatment measures are in place.

Sydney Water Quick check

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

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

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

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

Dial Before you Dig Service

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

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

Basement carpark and subsurface drainage

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

- (a) A holding tank capable of storing the run-off from a 100 year ARI (average reoccurrence interval) - 2 hour duration storm event, allowing for pump failure.
- (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
 - (i) The permissible site discharge (PSD) rate; or
 - a. 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.

Shoring for adjoining Council property

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

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

Impact on Existing Utility Installations

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

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

Support for Council Roads, footpath, drainage reserve

132. Council property adjoining the construction site must be fully supported at all times during all demolition, excavation and construction works. Details of any required shoring, propping and anchoring devices adjoining Council property, are to be prepared by a qualified structural or geotechnical engineer. These details must accompany an application for the relevant Construction Certificate and be to the satisfaction of the Principal Certifying Authority (PCA). A copy of these details must be forwarded to Council prior to any work being commenced.

Backfilling of excavations adjoining Council property or any void remaining at the completion of the construction between the building and Council property must be fully compacted prior to the completion of works.

Reason: To protect Council's infrastructure

PUBLIC ART

Public Art Plan

133. Prior to the issue for any Construction Certificate for works above ground floor level a detailed Public Art Plan prepared by a suitably qualified and experienced public art consultant, and developed in accordance with the City of Parramatta's 'Interim Public Art Guidelines for Developers' must be submitted to and approved by Council's Group Manager, Development and Traffic Services Unit.

Note that heritage interpretation, archaeological interpretation, signage and wayfinding will not be accepted as a public art typology.

The Public Art Plan must:

- a) confirm the public art budget to satisfy Council's Public Art Guidelines of 0.5% total construction budget. The plan must demonstrate this spend.
- b) nominate location/s across the site and the relevant artwork typologies for the location. Artworks must be located within the site.
- c) identify theme/s for the artist to respond to, initiate conversation and guide community through consultation;
- d) include information about a community engagement process throughout the life cycle of the project, including evidence of cultural engagement particularly with First Nations people as appropriate;
- e) include contextual themes and design details of each public art work, including concept drawings, scale and context, materials and finishes;
- f) nominate an indicative program of works to implement the plan.
- g) provide details of each artwork typology
- h) provide detail the lifespan of art of each installation consistent with industry best practice
- i) include a manual for care and maintenance of each installation by the property owner

The development shall then be completed in accordance with the Plan endorsed to satisfy this condition.

Reason: To achieve public art that is consistent with Council's guidelines.

TRANSPORT FOR NSW (PLR)

Process of Endorsement of Conditions

134. Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever occurs first, the applicant shall:

- Consult with TfNSW and the Parramatta Light Rail Operator to ascertain requirements for PLR1 and PLR2 in relation to the protection of TfNSW's infrastructure and to confirm the timing of each construction certificate and associated documentation and activities prior to preparation of requested documentation;
- Sign Infrastructure Assess Deed Poll, Safety Interface Agreement and Works Deed with TfNSW and/or the Parramatta Light Rail Operator;
- Confirm in writing with TfNSW what each Construction Certificate stage will involve; and
- Submit all relevant documentation to TfNSW as requested by TfNSW and obtain its written endorsement for each construction stage. A summary report for each construction stage shall also be provided to TfNSW to demonstrate the following:
 - o No adverse impacts to the light rail corridor and light rail operation by clearly identifying impacts and mitigation measures; and
 - o Submitted documentation has satisfied the relevant conditions.

The Principal Certifying Authority (PCA) is not to issue the relevant Construction Certificate until they have received written confirmation from TfNSW that the relevant conditions have been complied with for each Construction Certificate.

Review and Endorsement of Documents

135. Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever occurs first, the following documentation shall be provided for the review and endorsement of TfNSW:

- Final geotechnical, structural report / drawings and all documentation required to demonstrate compliance with Technical Direction Geotechnology GTD 2020/001 | Version No. 01 – 2 July 2020 Excavation adjacent to Transport for NSW Infrastructure (GTD 2020/001) and Section 14 of T-HR-CI-12090-ST. Geotechnical reports should include any potential impact on the light rail corridor located adjacent to the subject development site.

the applicant shall update the Geotechnical Investigation (GI) report Finite Element Analysis(FEA) report, Monitoring Plan and Paramatta Light Rail Engineering Impact Report submitted as part of the development application and the details are provided below:

- Additional geotechnical investigations shall be undertaken as the current investigation only includes one borehole which is located over 60m away from the interface with PLR1 and PLR2 turnback. The scope of the investigations should meet the requirements of GTD 2020/001 as a minimum, as a basis to assess the impact on the PLR1 and PLR2;
- The ground model adopted in the FEA report shall be updated following the geotechnical investigation with justification and references supporting adoption of the soil and rock parameters and the details are provided below:
 - The scope of the geotechnical investigation and testing needs to be developed to obtain information to properly assess soil parameters, including consolidation / stiffness parameters that may be required to properly assess the impacts of settlement due to groundwater drawdown; and
 - The loose sand layer identified in the GI report and highlighted as a 'main geotechnical issue' needs to be included in the model FEA report. Any discrepancies in relation to the rock classes between the reports need to be addressed.
- Ground anchors within TfNSW land need to be approved by TfNSW and comply with Section 14.5 of T HR CI 12090 ST (i.e. 10 year design life, supported by a geotechnical and structural engineering report prepared by an AEO/TAO etc).
- Any anchoring or propping details and structural inputs shall be provided in the updated FEA report. These inputs need to be verified by a structural engineer and match those on the structural drawings;
- A detailed assessment of groundwater levels shall be undertaken in consultation with TfNSW in accordance with GTD 2020/001;
- A post construction dilapidation survey and rail alignment survey to determine acceptable and resultant deviation from top, alignment and twist will need to be provided;
- A commentary on predicted differential vertical and horizontal displacements both longitudinally and between tracks for comparison to relevant track geometry limits, shall be provided.
- Certification that the proposed development, including all 'for construction' documentation, will have no adverse effects on the existing rail track slab shall be provided;
- With respect to design life requirements, based on T HR CI 12090 ST and T HR CI 12002 ST, it is considered all retention within the zone of influence of the PLR corridor will require a 120 year design life; and
- The Monitoring Plan shall be revised in consultation with TfNSW. Instrumentation locations, monitoring frequency, alert levels, actions and hold points should be included.

- Final construction methodology with construction details pertaining to structural support during excavation or ground penetration. Any temporary components, for example, shoring systems, formwork and falsework, that are located such that their failure has the potential to affect rail infrastructure facilities or operations shall have a minimum service life of 10 years;
- Details of the vibration and movement monitoring system that will be in place before excavation commences;
- Final cross sectional drawings showing ground surface, rail tracks, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the Rail Corridor located adjacent to the subject development site. Cross sectional drawings should also include the accurate RL depths and horizontal distances from assets (tracks, overhead lines, structures and cables) to the nearest point of excavation or ground penetration works. All measurements are to be verified by a Registered Surveyor; and
- Detailed survey plan with location of services.

Pre-construction Work Dilapidation Report

136. A pre-construction work Dilapidation Report of the Parramatta Light Rail and its assets shall be prepared by a qualified structural engineer. The dilapidation survey shall be undertaken via a joint site inspection by the representatives of the Parramatta Light Rail Operator, TfNSW and the applicant. These dilapidation surveys will establish the extent of existing damage and enable any deterioration during construction to be observed.

Acoustic Assessment

137. Prior to the issue of the relevant Construction Certificate, the final acoustic assessment is to be submitted to the PCA demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines". All recommendations of the acoustic assessment are to be incorporated in the construction documentation.

The assessment needs to consider potential impacts from the PLR1 and PLR2 on the activities within the development (Ballroom) in relation to light rail noise and vibration with reference to the Operational Noise and Vibration Review (ONVR) for PLR1 and EIS Technical Paper 3 for the proposed PLR2 turnback on Macquarie Street.

Electrolysis Analysis

138. Prior to the issue of the relevant Construction Certificate, the applicant is to engage an Electrolysis Consultant to prepare a report on the Electrolysis Risk to the development from stray currents. The applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the PCA with the application for the relevant Construction Certificate.

Physical results showing baseline interference levels at the site should be carried out following demolition as a site test using data loggers, is the only

method which will yield the baseline interference signature needed. The assessment will inform data acquisition comparison when the PLR will be in operation. The assessment should consider the impacts of both PLR1 and PLR2.

Reflectivity Report

139. Prior to the issue of the relevant Construction Certificate, the applicant shall design lighting, signs and surfaces with reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor limiting glare and reflectivity to the satisfaction of TfNSW and the Parramatta Light Rail Operator.

Outdoor Terraces, Balconies and External Windows

140. Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows and other external features (eg roof terraces and external fire escapes) that are within 20 metres of, and face, the rail corridor, the development must have measures installed, to the satisfaction of TfNSW (eg awning windows, louvres, enclosed balconies, window restrictors etc) which prevent the throwing of objects onto the rail corridor unless otherwise agreed by TfNSW. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from TfNSW confirming that this condition has been satisfied.

Consultation Regime

141. Prior to the issue of the relevant Construction Certificate, a detailed regime is to be prepared for consultation with and approval by TfNSW for the excavation of the site and the construction of the building foundations (including ground anchors) for the approved development, which may include geotechnical and structural certification in the form required by TfNSW.

Insurance Requirements

142. Prior to the issue of the relevant Construction Certificate, the applicant must hold current public liability insurance cover for a sum acceptable to TfNSW. TfNSW's standard public liability insurance requirement for this type of development adjacent to a rail corridor is minimum of \$250M. This insurance shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The applicant is to contact TfNSW to obtain the level of insurance required for this particular proposal. Prior to issuing the relevant Construction Certificate the PCA must witness written proof of this insurance in conjunction with TfNSW's written advice to the applicant on the level of insurance required.

Works Deed / Agreements

143. Prior to the commencement of works on site, if required by TfNSW, an interface agreement between the Applicant, the Parramatta Light Rail Operator (and if nominated by TfNSW any other relevant TfNSW Contractor) must be executed. The interface agreement will include, but is not limited to:

- Pre and post construction dilapidation reports;
- The need for track possessions;

- Review of the machinery to be used during excavation, ground penetration and construction works;
- The need for track monitoring;
- Design and installation of lights, signs and reflective material;
- Access by representatives of TfNSW, the Parramatta Light Rail Operator and any other relevant TfNSW Contractor nominated by TfNSW to the site of the approved Development and all structures on that site;
- Endorsement of Risk Assessment/Management Plan and Safe Work Method Statements (SWMS);
- Endorsement of plans regarding proposed craneage and other aerial operations;
- Erection of scaffolding/hoarding;
- The rules and procedures of the Parramatta Light Rail Operator and any other relevant TfNSW Contractor nominated by TfNSW;
- Parramatta Light Rail Operator's recovery of costs from the Applicant for costs incurred by these parties in relation to the Development (e.g. review of designs, shutdown /power outages costs including alternative transport, customer communications, loss of revenue etc) risk assessments and configuration change processes; and
- Alteration of rail assets such as the overhead wiring along the track and associated hoarding demarcation system, if undertaken by the Applicant; and

Prior to the commencement of any works, if required by TfNSW, a Deed Poll will need to be accepted by Parramatta Light Rail Contractors and signed by the Applicant. The Deed Poll will include, but is not limited to:

- Work Health and Safety provisions including the need for Safe Method Work statements;
- Parramatta Light Rail access requirements including site works access approval and access permit to work;
- Parramatta Light Rail Contractor compliance requirements;
- Indemnities and releases;
- Insurance requirements and conditions;
- Parramatta Light Rail Contractors recovery of costs from the Applicant for costs incurred in relation to the Development (e.g. review of designs, provision of information);
- The need to enter into an interface deed or similar with the Parramatta Light Rail Operator when the Parramatta Light Rail project is handed over to the Operator; and
- Attendance and participation in the construction works risk assessment of construction activities to be performed in, above, about, and/or below the Parramatta Light Rail Corridor.

TRANSPORT FOR NSW (Roads)

Swept paths

144. Prior to the release of any Construction Certificate for any building structures, swept path plans of the relevant design vehicle for the driveway on Macquarie Street shall be submitted to TfNSW for endorsement to ensure vehicular entry

and exit movements on Macquarie Street does not affect the PLR turnback facility.

Construction Pedestrian and Traffic Management Plan

145. Prior to the issue of any Construction Certificate or any preparatory, demolition or excavation works, whichever is the earlier, the Applicant should:

- Prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW. The CPTMP needs to specify matters including, but not limited to, the following:
 - o A description of the development;
 - o Location of any proposed work zone(s);
 - o Details of crane arrangements including location of any crane(s);
 - o Haulage routes;
 - o Proposed construction hours;
 - o Predicted number of construction vehicle movements and detail of vehicle types, noting that vehicle movements are to be minimised during peak periods;
 - o Details of specific measures to ensure the arrival of construction vehicles to the site do not cause additional queuing on public roads;
 - o Details of the monitoring regime for maintaining the simultaneous operation of buses and construction vehicles on roads surrounding the site;
 - o Pedestrian and traffic management measures;
 - o Construction program and construction methodology;
 - o A detailed plan of any proposed hoarding and/or scaffolding;
 - o Consultation strategy for liaison with surrounding stakeholders, including other developments under construction;
 - o Any potential impacts to general traffic, cyclists, pedestrians and light rail and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
 - o Cumulative construction impacts of surrounding projects. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the surrounding road network; and
 - o Proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP.
- Submit a copy of the final plan to development.CTMP.CJP@transport.nsw.gov.au for TfNSW endorsement; and
- Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and TfNSW to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The Applicant is responsible for ensuring the builder's direct contact number (via

development.CTMP.CJP@transport.nsw.gov.au) is current during any stage of construction.

PART C – BEFORE THE COMMENCEMENT OF BUILDING WORKS

Appointment of PCA

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

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

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

Reason: To comply with legislative requirements.

Enclosure of the site

147. The site must be enclosed by a 1.8m high security fence erected wholly within the confines of the site to prevent unauthorised access. The fence must be installed to the satisfaction of the Principal Certifying Authority prior to the commencement of any work on site.

Reason: To ensure public safety.

Site Sign

148. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 70 of the Environmental Planning and Assessment Regulations 2021 detailing:

- (a) Unauthorised entry of the work site is prohibited;
- (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
- (c) The name, address and telephone number of the Principal Certifying Authority;
- (d) The development consent approved construction hours;
- (e) The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.
- (f) This condition does not apply where works are being carried out inside an existing building.

Reason: Statutory requirement.

Erection of hoardings in the City Centre LEP area

149. A Hoarding Application to enclose public space is to be accompanied by the appropriate fee calculated according to Council's adopted fees and charges, together with details showing the location and type of hoarding proposed as required by Council's Hoarding Policy.

No demolition or works can commence until approval for the hoarding has been obtained.

Reason: To improve the visual impact of the hoarding structure and to provide safety adjacent to work sites.

Hoardings – Historical images

150. Prior to the commencement of any works the existing hoardings to Church and Macquarie Streets must be altered to instead display historical images/details of the site, to improve its presentation from the public domain.

The historical images/details must be submitted for the prior approval of Council's Group Manager DTSU.

Reason: To improve the visual impact of the hoarding structure

Public liability insurance

151. Public risk insurance in the amount of not less than \$20 million or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:

- (a) Above;
- (b) Below; or
- (c) On

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

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

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

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

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

Survey certificates – Footings, walls near boundaries and floor levels

152. Prior to the commencement of work, a registered surveyor is to undertake a set out survey to identify the location of all footings, slabs, posts and walls adjacent to a boundary. This is to ensure the development when complete, will be constructed wholly within the confines of the subject allotment.

Survey certificates are to be submitted to the Principal Certifying Authority at footing and/or formwork stage, as well as stages noted below.

The certificates are to be forwarded to the Principal Certifying Authority prior to pouring of any footings or slabs and/or the construction of any walls/posts, or floors, and must confirm that the following aspects are consistent with the approved plans **prior to any further work proceeding** on the building:

- a) The location of the building in relation to all boundaries
- b) The RL of each floor level of each building

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

Air Space Encroachment

153. No part of a tower crane is to extend, operate or otherwise encroach the airspace of any adjoining properties at any time, including outside construction work hours, unless an agreement to do so has been reached between the developer and any relevant property owner/s, including any Strata body. Such agreement must be in place prior to installation of any component of the tower crane.

Reason: To preserve the amenity of adjoining property and ensure consistency with the requirements of Council's Hoarding and Tower Crane Policy 233.

Erosion & Sediment Controls in Place

154. Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by the principal certifier) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).

Reason: To ensure runoff and site debris do not impact local stormwater systems and waterways

Notice Regarding Dilapidation Report

155. Before the commencement of any site or building work, the principal certifier must ensure the adjoining building owner(s) is provided with a copy of the dilapidation report for their property(ies) no less than 10 days before the commencement of any site or building works and provide a copy of the report to Council at the same time.

Reason: To advise neighbours and Council of any dilapidation report.

LANDSCAPING

Tree Protection During Construction

156. Tree protection measures are to be installed prior to works commencing on site and are to be maintained throughout the demolition and construction works, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Consulting Arborist in accordance with AS4970:2009 - "*Protection of Trees on Development Sites*". Written confirmation by the Project Arborist to be forwarded to the Certifying Authority to state tree protection measures were retained and in place, in accordance with the Conditions of Consent (unless prior approval from the Project Arborist was provided).

Reason: To ensure tree(s) are adequately protected throughout the construction phase.

TRAFFIC

Construction and Pedestrian Traffic Management Plan

157. Prior to the commencement of any works on site, the applicant shall submit a Construction and Pedestrian Traffic Management Plan (CPTMP) to the

satisfaction of Council's Traffic and Transport Manager and Transport for NSW. The CPTMP shall be prepared by a suitably qualified and experienced traffic consultant. The following matters must be specifically addressed in the CPTMP:

- a) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- b) Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
- c) The location of proposed Work Zones in the egress frontage roadways,
- d) Location of any proposed crane standing areas,
- e) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- f) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- g) The provisions of an on-site parking area for employees, tradeperson and construction vehicles as far as possible,
- h) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors,
- i) A detailed description of locations that will be used for layover for trucks waiting to access the construction site,
- j) Proposed construction hours,
- k) Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements,
- l) Construction program that references peak construction activities and proposed construction 'Staging',
- m) Any potential impact to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works,
- n) Cumulative construction impacts of projects in the Parramatta CBD. Should any impacts be identified, the duration of the impacts,
- o) Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified,
- p) The plan may be required to include restrictions on the number of trucks that can access the site in peak hours and a requirement for the developer to provide video footage of the frontage of the site on a weekly basis so that Council can enforce this requirement,
- q) Evidence of Transport for NSW concurrence where construction access is provided directly or within 20 m of an Arterial Road if applicable, and,
- r) A schedule of site inductions on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.

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

once a month and may include representatives of the local community and Council staff to discuss traffic control at the site.

Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Work Zone' restriction in the egress frontage roadways of the development site. Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Work Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.

All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.

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

Reason: To ensure the 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.

WASTE

Waste Management Plan

158. 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.

Asbestos – hazardous management strategy

159. The preparation of an appropriate hazard management strategy by an appropriately licensed asbestos consultant pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material is required. This strategy shall ensure that any such proposed demolition works involving asbestos are carried out in accordance with the requirements of the 'Code of Practice: How to Safely Remove Asbestos' published by WorkCover NSW. The strategy shall be submitted to the Principal Certifying Authority, prior

to the commencement of any works. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated and that the site is rendered suitable for the development.

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

Asbestos – signage

160. On demolition sites where buildings are known to contain friable or non-friable asbestos material, standard warning signs containing the words ‘DANGER ASBESTOS REMOVAL IN PROGRESS’ measuring not less than 400mm x 300mm are to be erected in a prominent position on site visible from the street kerb. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site. Advice on the availability of these signs can be obtained by contacting the NSW Safework Authority hotline or their website www.safework.nsw.gov.au.

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

Hazardous material survey

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

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

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

Management of Construction and/or Demolition Waste

162. Waste materials must be appropriately stored and secured within a designated waste area onsite at all times, prior to reuse or being sent offsite. This includes waste materials such as paper and containers which must not litter the site or leave the site onto neighbouring public or private property. Receipts of all waste/recycling tipping must be retained and produced in a legible form to any authorised officer of the Council who asks to see them.

Reason: To provide for the appropriate collection/ recycling of waste from the proposal whilst minimising the impact of the development upon adjoining residents.

ENGINEERING

Road Opening Permit

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

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

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

Dilapidation survey & report for private properties

164. Prior to the commencement of any excavation works on site, the applicant must submit for approval by the Principal Certifying Authority (with an electronic copy forwarded to Council at council@cityofparramatta.nsw.gov.au) a dilapidation report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the excavation face to a depth of twice that of the excavation.

The report must include a photographic survey of the adjoining properties detailing their physical condition, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer in accordance with the recommendation of the geotechnical report.

In the event that access to adjoining allotments for the completion of a dilapidation survey is denied, the applicant must demonstrate in writing that all reasonable steps have been taken to advise the adjoining allotment owners of the benefit of this survey and details of failure to gain consent for access to the satisfaction of the Principle Certifying Authority.

Note: This documentation is for record keeping purposes only, and can be made available to an applicant or affected property owner should it be requested to resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible

Reason: Management of records.

Geotechnical Report

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

- (a) The type and extent of substrata formations. A minimum of 4 representative bore hole logs which are to provide a full description of all material from the ground surface to a minimum of 1.0m below the finished basement floor level. The report is to include the location and description

- of any anomalies encountered in the profile, and the surface and depth of the bore hole logs shall be to Australian Height Datum.
- (b) Having regard to the findings of the bore hole testing, details of the appropriate method of excavation/shoring together with the proximity to adjacent property and structures can be ascertained. As a result potential vibration caused by the method of excavation and how it will impact on nearby footings/foundations must be established together with methods to ameliorate any impact.
 - (c) The proposed methods for temporary and permanent support required by the extent of excavation can be established.
 - (d) The impact on groundwater levels in relation to the basement structure.
 - (e) The drawdown effects if any on adjacent properties (including the road reserve), resulting from the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater.

Where it is considered there is potential for the excavation to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development. This design is to ensure there is no change in the range of the natural groundwater level fluctuations.

Where an impediment to the natural flow path of groundwater results, artificial drains such as perimeter drains and through drainage may be utilised.

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

The implementation program is to nominate suitable hold points for the various stages of the works in order verify the design intent before certification can be issued and before proceeding with subsequent stages.

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

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

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

Erosion and Sediment Control measures

166. Erosion and sediment control measures are to be installed in accordance with the publication 'Urban Stormwater: Soils and Construction "The Blue Book" 2004 (4th edition) prior to the commencement of any demolition, excavation or construction works upon the site. These measures are to be maintained throughout the entire works.

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

Site Maintenance

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

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

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

Shoring and adequacy of adjoining property

168. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:

- (a) Protect and support the adjoining premises from possible damage from the excavation
- (b) Where necessary, underpin the adjoining premises to prevent any such damage.

Note: If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.

Special Permits

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

- (a) On-street mobile plant:
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.
- (d) Kerbside restrictions - construction zones:
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs..

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

Reason: Proper management of public land.

Driveway Crossing Application

170. All works associated with the construction and/or extension of a driveway crossover/layback within Council owned land requires an application to be lodged and approved by Council.

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

The application for a driveway crossing requires the completion of the relevant application form and accompanied by plans, grades/levels and specifications. A fee in accordance with Councils adopted 'Fees and Charges' will need to be paid at the time of lodgement.

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

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

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

PART D – WHILE BUILDING WORK IS BEING CARRIED OUT

SYDNEY METRO

Supervision

171. Unless advised by Sydney Metro in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects and who holds current professional indemnity insurance.

Consultation

172. The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Metro in writing), who:

- (a) oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Metro;
- (b) acts as the authorised representative of the Applicant; and

- (c) is available (or has a delegate notified in writing to Sydney Metro that is available) on a 7 day a week basis to liaise with the representative of Sydney Metro as notified to the Applicant.
173. Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Metro in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Metro in relation to the works.
174. Where a condition of consent requires consultation with Sydney Metro, the Applicant shall forward all requests and/or documentation to the relevant Sydney Metro interface team.

Contamination

175. Prior to the issue of a Construction Certificate, the Applicant shall provide a Contamination Assessment Report to Sydney Metro for review. Any contamination identified which is migrating (or at risk of migration) from the development site into the rail corridor shall be remediated by the Applicant to the satisfaction of Sydney Metro prior to the construction of the project and a Validation Report provided to Sydney Metro for endorsement following any remediation works. The Certifier must not issue an Occupation Certificate for the development until written confirmation has been received from the Sydney Metro that this condition has been satisfied.

Drainage

176. The Applicant must ensure that all existing and future drainage works on the development site will be directed into the appropriate local council or approved drainage system.
177. The Applicant must ensure that during works no water collects on or near the railway corridor. Should water be allowed to pond adjacent to rail infrastructure facilities and service is interrupted, the Applicant shall be liable for any Sydney Metro expenditure involved with restoring or maintaining alternative services.

Inspections

178. If required by Sydney Metro, the Applicant must give Sydney Metro written notice at least 5 business days before any of the following events occur within 25 metres of the rail corridor:
- (a) site investigations;
 - (b) foundation, pile and anchor set out;
 - (c) set out of any other structures below ground surface level or structures which will transfer any load or bearing;
 - (d) foundation, pile and anchor excavation;
 - (e) other excavation;

- (f) surveying of foundation, pile and anchor excavation and surveying of as-built excavations;
- (g) other concreting; or
- (h) any other event that Sydney Metro has notified to the Applicant in writing

so that Sydney Metro may inspect the carrying out or completion of those works on the development site.

179. If required by Sydney Metro, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Metro, a joint inspection of the rail infrastructure and property in the vicinity of the development is to be carried out by representatives from Sydney Metro and the Applicant and a dilapidation survey prepared. The dilapidation survey(s) will establish the extent of any existing damage and enable any deterioration during construction to be observed and rectified at the Applicant's cost. The submission of a detailed dilapidation report by the Applicant for review and approval by Sydney Metro will be required within 10 days following the undertaking of any joint inspection, unless otherwise notified by Sydney Metro in writing.

HERITAGE NSW

Archaeological conditions

180. Notwithstanding the terms of any Section 140 Permit approval, the Heritage Council of NSW or its Delegate reserves the right to issue additional archaeological conditions should circumstances arise which warrant such action. These may address fieldwork methodology, artefact analysis, final reporting, and other relevant matters.

Inspection of works by Heritage NSW

181. Heritage NSW must inspect the site at all nominated 'hold points' referenced in all related section 140 Permit approvals.

No work shall proceed until Heritage NSW has confirmed in writing to the Principal Certifying Authority, that it is satisfied with the outcomes of each 'hold point' inspection.

PLANNING

Copy of development consent

182. A copy of this development consent together with the stamped plans, referenced documents and associated specifications is to be held on-site during the course of any works to be referred to by all contractors to ensure compliance with the approval and the associated conditions of consent.

Reason: To ensure compliance with this consent.

Dust Control

183. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Section 126 of the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

Materials on footpath

184. No building materials skip bins, concrete pumps, cranes, machinery, temporary traffic control, signs or vehicles associated with the construction, excavation or demolition shall be stored or placed on/in Council's footpath, nature strip, roadway, park or reserve without the prior approval being issued by Council under section 138 of the Roads Act 1993.

Reason: To ensure pedestrian access.

No work on public open space

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

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

Hours of work and noise

186. The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:

- **7am to 5pm on Monday to Friday**
- **8am to 5pm on Saturday**

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval. Council may permit an extension to the approved hours of work in extenuating or unforeseen circumstances subject to an application and approval by City of Parramatta Council (CoPC) in accordance with the 'After Hours Works for Approved Development Applications Policy' (Policy).

A copy of this Policy and associated application form is available on the CoPC website. A fee will apply to any application made in accordance with this Policy.

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

- Nature of work to be conducted;
- Reason for after-hours completion;
- Residual effect of work (noise, traffic, parking);

- Demographic of area (residential, industrial);
- Compliance history of subject premises;
- Current hours of operation;
- Mitigating or extenuating circumstance; and
- Impact of works not being completed.

Reason: To protect the amenity of the surrounding area

Complaints register

187. The applicant must record details of all complaints received during the construction period in an up to date complaints register. The register must record, but not necessarily be limited to:

- (a) The date and time of the complaint;
- (b) The means by which the complaint was made;
- (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that effect;
- (d) Nature of the complaints;
- (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complainant; and
- (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

The complaints register must be made available to Council and/or the Principal Certifying Authority upon request.

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

Construction Noise

188. While building work is being carried out, and where a noise and vibration management plan is approved under this consent, the applicant must ensure that any noise generated from the site is controlled in accordance with the requirements of that plan.

OR

The applicant is otherwise to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.

Reason: To protect the amenity of the neighbourhood

Survey Report

189. While building work is being carried out, a registered surveyor is to measure and mark the positions of the following and provide them to the principal certifier: -

- (a) All footings/ foundations
- (b) At other stages of construction – any marks that are required by the principal certifier

Reason: To ensure buildings are sited and positioned in the approved location.

Building Work Compliance BCA

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

Reason: To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2021.

Uncover Relics/Aboriginal Objects

191. While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- “relic” means any deposit, artefact, object or material evidence that:-
 - (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - (b) is of State or local heritage significance; and
- “Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Reason: To ensure the protection of objects of potential significance during works.

Procedure for critical stage inspections

192. While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.

Implementation of the site management plans.

193. While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.

Reason: To ensure the required site management measures are implemented during construction.

Responsibility for changes public infrastructure

194. While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet

pits, service provider pits, street trees or any other infrastructure in the street footpath area).

Reason: To ensure payment of approved changes to public infrastructure.

Shoring & adequacy of adjoining property

195. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person's own expense:-

- (a) Protect and support the building, structure or work from possible damage from the excavation, and
- (b) Where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

Reason: Prescribed condition - EP&A Regulation clause 98E

WASTE

Waste Management

196. While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Reason: To require records to be provided, during construction, documenting that waste is appropriately handled

Waste data maintained

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

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

Material identified as contaminated

198. In the event that material is identified at the subject site as contaminated as defined in the Managing Land Contamination Planning Guidelines dated 1998 and prepared by the Department of Urban Affairs and Planning, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. Any soil investigation must be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites, the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007, and the provisions of the Contaminated Land Management Act 1997 and Regulation 2013.

Reason: To ensure that the provisions set out in Clause 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021 have been met and the use of the land poses no risk to the environment and human health.

Importation of clean fill

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

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

Asbestos—records of disposal & licensed waste fac.

200. Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.

Reason: To ensure appropriate disposal of asbestos materials.

Asbestos—handled & disposed of by licensed facilit

201. All friable and non-friable asbestos-containing waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guidelines – Part 1 Classifying Waste (EPA 2014) and any other regulatory instrument as amended.

Reason: To ensure appropriate disposal of asbestos materials.

General requirements for liquid and solid waste

202. Liquid and solid wastes generated onsite shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and in accordance with DECC the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999) and NSW EPA Waste Classification Guidelines.

Reason: To prevent pollution of the environment.

Contaminated waste to licensed EPA landfill

203. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

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

Polluted water excavation - analysis before discharge

204. 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 Australian & New Zealand Guidelines for Fresh & Marine 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.

De-watering of Excavated Sites

205. Any site excavation areas must be kept free of accumulated water at all times. Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property. A de-watering plan is required to be included and submitted to Council for review prior to issue of a Construction Certificate.

Reason: To protect against subsidence, erosion and other nuisances.

LANDSCAPING

No removal of trees on public property

206. No trees on public property (footpaths, roads, reserves, etc.) are permitted to be removed, pruned or damaged during construction including the installation of fences, hoardings or other temporary works, unless approved in this consent.

Reason: Protection of existing environmental infrastructure and community assets.

PUBLIC DOMAIN

Prior to the Commencement of Construction in Public Domain

208. Prior to any public domain works the Principal Certifying Authority is to confirm the ground floor slab levels, including finishes, will be flush with the existing and/or proposed public domain as per the approved Public Domain Alignment Drawings;

As each basement level is constructed provide survey data demonstrating level change is not required at the building/public domain interface as per the approved updated Alignment Drawings. Details of

compliance shall be submitted to group manager DTSU before works commence.

All the public domain works shall be constructed by licensed contractors. All the soft landscape works shall be carried out by licensed landscape contractors.

A pre-work site meeting is required with Council's Road Asset Planning Team before start of any works on site to confirm the works as per the approved CC drawing set and to discuss any critical issues that may arise.

A range of inspections will be carried out by Council staff during the construction phase. The applicant must contact **Council's Inspection Officer** for each inspection listed below. At least **48 hours** notice must be given for all inspections, except tree inspections which require a 7 days' notice.

The required inspections include the followings:

- Commencement of public domain works;
- Subgrade inspection following excavation for footings, drainage and pavements;
- Installation of required underground conduits;
- Formwork inspection for all footpaths and footpath crossing call 9806 8250 minimum of 24 hours in advance of the required inspection.
- Commencement of the works including survey marks, sub-grade preparation and set out of kerb alignments;
- Completion of concrete blinding layer before any paver to be laid; and set out/location of furniture installation;
- Completion of unit paving and furniture (seatings) installation. Manufacturer's warranty and maintenance information for all proprietary products shall be provided to Council's Inspection Officer; and
- Completion of paving sealant application and tactile indicator installation as per Council's specification.
- Final defects inspection after all work has been completed to view paving sealant, tactile surface indicators, service lids and location of fixtures and fittings.

Note: Additional daily inspections by Council Officers may occur to view progressive paving set out and construction depending on the project size and type.

During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's Public Domain Guidelines. Certification is required to be provided with the Occupation Certificate.

Reason: To ensure the quality of public domain works complies with Council standards and requirements.

TRAFFIC

Road Occupancy Permit

209. Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.

Reason: To ensure proper management of Council assets.

Oversize vehicles

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

Reason: To ensure maintenance of Council's assets.

ENGINEERING

Erosion & sediment control measures

211. Works are not to result in sedimentation and or run-off from the approved works onto the adjoining properties and or public lands. The person having the benefit of this consent must ensure sediment is not tracked out from the development site.

Reason: To ensure no adverse impacts on neighbouring properties.

Damage to public infrastructure

212. Any damage to Council assets that impacts on public safety during construction is to be rectified immediately to the satisfaction of Council with all costs to be borne by the person having the benefit of the Development Consent.

Reason: To protect public safety.

Nomination of Engineering Works Supervisor

213. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works". Certification is required to be provided with the Occupation Certificate.

Reason: To ensure Council's assets are appropriately constructed.

TRANSPORT FOR NSW (PLR)

No construction vehicles

214. Construction vehicles shall not be stopped or parked on Church Street and Macquarie Street at any time without prior approval of TfNSW.

Supervision of piling and excavation

215. All piling and excavation works are to be supervised by a geotechnical engineer experienced with such excavation projects.

No rock anchor or bolts without approval

216. No rock anchors/bolts (temporary or permanent) are to be installed into the light rail corridor without approval from TfNSW.

Live electrical equipment

217. No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment unless a physical barrier such as a hoarding or structure provides separation.

No pollution

218. During all stages of the development extreme care shall be taken to prevent any form of pollution entering the light rail corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the applicant.

Noise and vibration

219. The applicant must mitigate all noise and vibration to the extent possible and provide vibration monitoring equipment and provide the results to the Parramatta Light Rail Operator at intervals required by TfNSW and the Parramatta Light Rail Operator, and immediately implement corrective actions in the event that the noise or vibration exceeds acceptable limits.

Rainwater and rail corridor/assets

220. Rainwater from the roof must not be projected and/or falling into the rail corridor/assets and must be piped down the face of the building which faces the rail corridor. Given the site's location next to the rail property, drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from TfNSW and the Parramatta Light Rail Operator (or the delegated authority).

Scaffolding requirements

221. No scaffolding is to be used within 6 horizontal metres of the rail corridor unless prior written approval has been obtained from the Parramatta Light Rail Operator and TfNSW and a physical barrier such as a hoarding or structure provides separation. To obtain approval the applicant will be required to submit details of the scaffolding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor.

PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE**SYDNEY METRO****Noise and Vibration**

222. Prior to the issue of an Occupation Certificate, an acoustic assessment report must be prepared and submitted to the Certifying Authority, Council and Sydney Metro certifying that the completed development meets the requirements of:

- (a) State Environmental Planning Policy (Transport and Infrastructure) 2021;

- (b) the Department of Planning, Infrastructure and Environment's Development Assessment Guideline titled "Development Near Rail Corridors and Busy Roads - Interim Guidelines"; and
- (c) any other noise and vibration requirements imposed by this consent.

The acoustic report must demonstrate testing of external and internal noise levels for the completed development and ensure that external noise levels are representative of the typical maximum levels that may occur at the development and internal noise levels meet the required dB(A) levels. Where it is found that internal noise levels are greater than the required dB(A) level, necessary corrective measures must be carried out to ensure that internal noise levels are compliant with the requirements of this consent.

Documentation

- 223. Prior to the issue of an Occupation Certificate, the Applicant is to submit as-built drawings to Sydney Metro and Council. The as-built drawings are to be endorsed by a registered surveyor confirming that there has been no encroachment into the rail corridor or Sydney Metro easements, unless agreed to by Sydney Metro in writing. The Certifier must not issue an Occupation Certificate until written confirmation has been received from Sydney Metro that this condition has been satisfied.
- 224. Prior to the issue of an Occupation Certificate, for approved structures in Metro stratum property, the Applicant is to submit as-built plan and sectional drawings showing the rail corridor, sub soil profile, proposed basement and/or foundation excavation and structural design of the development's sub-ground support adjacent to, and within, the rail corridor. All measurements contained within the cross sectional drawings must be verified by a registered surveyor.
- 225. Copies of any certificates, drawings, approvals or documents endorsed by, given to or issued by Sydney Metro must be submitted to Council for its records prior to the issue of any Occupation Certificate.

Inspections

- 226. If required by Sydney Metro, prior to the issue of an Occupation Certificate, a joint inspection of the rail infrastructure and property in the vicinity of the development is to be carried out by representatives from Sydney Metro and the Applicant and a dilapidation survey prepared. The dilapidation survey will establish the extent of any existing damage and enable any deterioration during operation of the development to be observed. The Certifier is not to issue an Occupation Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.
- 227. At any time during the use and occupation of the development, Sydney Metro may also require a joint inspection of the rail infrastructure and property in the vicinity of the development by representatives from Sydney Metro and the Applicant and a dilapidation survey prepared. Any such dilapidation survey will

establish the extent of any damage or deterioration during operation of the development to be observed and rectified at the Applicant's cost.

HERITAGE NSW

228. No Occupation Certificate of any kind, for any part of the development, shall be issued until Heritage NSW has inspected the site and has confirmed in writing, that it is satisfied with following matters:

- (a) The condition of the reinstated State significant archaeology
- (b) The location and RLs of the reinstated State significant archaeology
- (c) The implementation of all measures in accordance with the Heritage Interpretation Strategy approved to satisfy conditions elsewhere in this Notice.
- (d) All Section 140 Permit conditions have been satisfied.

Where items (a)-(d) above are not satisfactory, the applicant must rectify, to the satisfaction of Heritage NSW, all defects in works, or poorly executed outcomes which unacceptably derogate from all approvals granted Heritage NSW the issue of any Occupation Certificate.

229. Prior to the release of any Occupation Certificate, the City of Parramatta Council must confirm in writing to Heritage NSW that it has endorsed 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 in perpetuity and in good condition, all State significant archaeological material and all associated Heritage Interpretation measures.

Wording of the Positive Covenant and Restriction must be confirmed as satisfactory by both Council and Heritage NSW prior to registration.

PLANNING

Occupation Certificate

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

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

Record of Inspections Carried Out

231. The Principal Certifying Authority responsible for the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:

- (a) The development application and Construction Certificate number as registered;

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

Reason: To comply with statutory requirements.

Certification – Fire Safety

232. Prior to the issue of each Occupation Certificate, a final fire safety certificate must be issued as required by Clause 41 of the Environmental Planning and Assessment Regulation 2021.

Reason: Protection of life and to comply with legislative requirements

Maximum building height

233. The building hereby approved must not exceed a maximum height of:

- a) RL 122 metres AHD for the hotel tower; and
- b) RL 106 metres AHD for the commercial tower,

inclusive of all lift over-runs, vents, chimneys, aerials, antennas, lighting rods, any roof top garden planting, exhaust flues, etc. A survey report confirming compliance is to be submitted to the satisfaction of the Principal Certifier prior to the release of any Occupation Certificate. A copy of the report is to be provided to Council for their records.

Reason: To ensure the design quality excellence of the development is retained and the amenity of the locality is protected.

Hotel Operational Plan of Management

234. Prior to the issue of an Occupation Certificate, the applicant shall develop a Hotel Operational Plan of Management which includes the following:

- a) How amenity impacts on adjoining/nearby residents will be minimised;
- b) How complaints will be logged and resolved;
- c) Details of how guests arriving by private vehicle will be accommodated (i.e. how valet services will operate, location and extent of off-site parking, how large coaches/buses will be deterred, etc);
- d) Details of how guest arrival by private vehicle will be minimised (i.e. How public transport will be promoted to guests);
- e) How heritage fabric will be protected and maintained;

In developing this Plan the applicant is to:

- Undertake a survey of similarly sized hotels that provides off-site parking for customers' needs.
- Confer with the owners and occupiers of adjoining and nearby properties to understand key areas of concern and take all reasonable steps to avoid or minimise those impacts in the plan.

Details demonstrate compliance shall be submitted to the satisfaction of the Principal Certifying Authority. A copy of the plan shall be submitted to Council. The development shall operate in accordance with this Plan.

Reason: To ensure the hotel operations do not adversely impact the amenity of the locality.

Public access

235. All ground level pedestrian links through the site are to be open to the public 24 hours a day, 7 days a week. Easements allow for public access must be registered on the title of the site prior to the issue of any Occupation Certificate. The terms of the easement must be to the satisfaction of Council's Group Manager, Development and Traffic Services.

Evidence of registration of the easement(s) must be submitted to Council prior to the release of any Occupation Certificate.

Reason: To implement the terms of this consent

Certification – Public Artwork

236. Prior to the issue of any final Occupation Certificate, the following must be completed to the satisfaction of Council's Group Manager Development and Traffic Services:

- Provide evidence that all approved public art work has been completed in full and safely installed;
- Provide details of fabrication, installation, and any revised maintenance schedule.

Reason: To implement the terms of this consent.

Schedule of street numbering

237. Prior to the issue of any Occupation Certificate the developer must provide Council with a schedule of individual unit/street numbers as displayed within the development for identification purposes. The numbering sequence must be in accordance with the street numbering approval letter issued by Council.

Reason: To ensure developments are appropriately numbered.

Street Number when site readily visible location

238. A street number is to be placed on the site in a readily visible location from a public place prior to the issue of any final Occupation Certificate. The numbers are to have a minimum height of 75mm.

Reason: To ensure a visible house number is provided.

All works/methods/procedures/control measures

239. Prior to the issue of the relevant occupational certificate (Interim or Final), written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta Council, stating that all works/methods/procedures/control measures approved by Council in the following reports, which are relevant to each Occupation Certificate, and as otherwise supplemented by conditions in this Notice, have been completed:

- (h) Acoustic Report No.301350609 Revision 006, dated 20 December 2022, prepared by Stantec Australia Pty Ltd
- (i) Contamination Assessment No. E25219E02.Rev02, dated 21 December 2022, prepared by (EI Australia Pty Ltd)
- (j) MGAC Access review (Ref: Rev 2 dated 16/12/21) and MGAC letter dated 13 November 2023
- (k) Crime Prevention Through Environmental Design report by Think Planners, Revision B, dated 15 December 2021
- (l) Acid Sulfate Soil Management Plan by EI Australia (ref: E25219.E14_Rev 0) dated 17 December 2021
- (m) All reflectivity measures nominated by condition elsewhere in this Notice.
- (n) All sustainability and ESD measures nominated elsewhere in this Notice.

Reason: To demonstrate compliance with submitted reports.

Completion of Public Utility Services

240. Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority.

Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

Reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation

Post Construction - Private Property Dilapidation

241. Before the issue of an occupation certificate, a suitably qualified engineer must prepare a post-construction dilapidation report, to the satisfaction of the principal certifier, detailing whether:

- (a) after comparing the pre-construction dilapidation report to the postconstruction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and
- (b) where there has been structural damage to any adjoining buildings, that it is a result of the building work approved under this development consent.

Before the issue of an occupation certificate, the principal certifier is to provide a copy of the post-construction dilapidation report to Council (where Council is not the principal certifier) and to the relevant adjoining property owner(s).

Reason: To identify damage to adjoining properties resulting from building work on the development site

Repair of infrastructure

242. Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

Reason: To ensure any damage to public infrastructure is rectified

Preservation of survey marks

243. Before the issue of any final Occupation Certificate, a registered surveyor must submit documentation to the principal certifier which demonstrates that:

- (a) no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or
- (b) the applicant has re-established any survey mark(s) that were damaged, destroyed, obliterated or defaced in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure.

Reason: To protect the State's survey infrastructure

Swimming pool

244. Prior to the issue of the relevant Occupation Certificate:

- (a) The swimming pool/spa is to be registered on the NSW state register of swimming pools and spas. To register the swimming pool/spa you are to log onto www.swimmingpoolregister.nsw.gov.au and follow the prompts. A copy of the registration certificate is to be submitted to the PCA to confirm the registration.
- (b) Prior to the use or operation of the swimming pool, any filtration equipment and/or pump(s) exceeding 5dBA above the ambient background noise level when measured at the property boundary must be enclosed with appropriate sound insulation materials. Details of compliance are to be provided to the Principal Certifying Authority.
- (c) The swimming pool must be fenced in accordance with provisions of the National Construction Code (2013) together with the referenced Australian Standard AS1926 Parts 1 and 2 (2012), prior to the filling of the pool with water. The fence shall be installed to the satisfaction of the Principal Certifying Authority.
- (d) The swimming pool water including the overflow water shall be drained to the sewer. The consent of Sydney Water to dispose of waste water shall be obtained and compliance with any conditions imposed by Sydney Water.

(e) The owner of the pool shall display a notice showing:

- (i) A simple flow sequence (which may be the flow sequence depicted in the Cardiopulmonary Resuscitation Guideline) containing details of resuscitation techniques for infants, children and adults. This sign is to be displayed in a prominent position in the immediate vicinity of the swimming pool.
- (ii) The occupier of any premises on which a swimming pool is situated must ensure that there is at all times a sign which must contain the following words *“YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL”, “POOL GATES MUST BE KEPT CLOSED AT ALL TIMES”, and “KEEP ARTICLES, OBJECTS AND STRUCTURES AT LEAST 900 MILLIMETRES CLEAR OF THE POOL FENCE AT ALL TIMES”*,

Reason: To comply with NSW legislative requirements relating to Swimming pools and Spas.

DESIGN EXCELLENCE

Design Jury Review

245. Prior to issue of any Occupation Certificate, the applicant is to submit for approval by Council's Group Manager Development and Traffic Services (DTSU), a Design Excellence Integrity Report, with photos of the building and relevant certification that the building has been built in accordance with the requirements of the design competition winning scheme, specifically addressing any key elements required by the Jury.

Council's DTSU Manager will consider the advice of the Design Excellence Jury and/or Council's Design Excellence Team, and Council's ESD consultant, as part of their assessment.

If considered necessary, access must be provided to the building(s).

Where matters are identified which are not satisfactory, resolution shall be required prior to the issue of the Occupation Certificate.

Reason: To ensure the proposal achieves design excellence.

LANDSCAPING

Completion of landscape works

246. Prior to the issue of any Occupation Certificate:

- a) All landscape works must be completed; and
- b) A qualified Landscape Architect must certify that the completed works are in accordance with the approved landscape plan.

Reason: To ensure restoration of environmental amenity.

SUSTAINABILITY

Evidence of compliance with sustainability measures

247. Prior to the issue of any Occupation Certificate the applicant must submit evidence, to the satisfaction of Council's Group Manager, Development and Traffic Services, which demonstrates compliance with the following matters:

- (a) That all measures required to deliver the NABERS Energy rating and requirements of the NABERS Energy commitment agreement for the office portion are completed.
- (b) That all measures required to deliver the NABERS Energy rating and requirements of the NABERS Energy commitment agreement for the hotel portion are completed.
- (c) That all measures required to deliver the NABERS Water rating for the office portion are completed.
- (d) That all measures required to deliver the NABERS Water rating for the hotel portion are completed.
- (e) That all other ESD measures nominated in this Notice have been implemented

Reason: To comply with the ESD provisions of Parramatta LEP

PUBLIC DOMAIN

Final approval for public domain works

248. Prior to **any issue** of the Occupation Certificate (including a Preliminary OC), the works outlined in the approved Public Domain Construction Drawings must be completed to Council's satisfaction and final defects rectified, with a **final approval** obtained from Council's Road Asset Planning, Catchment Management & Environment Manager.

Any defects raised by Council officers during the above construction and defects period inspections, will be notified in writing. Defects may include incorrect location of elements, unsatisfactory construction techniques or finishes, or any other non-compliances with the approved plans, longitudinal sections and specifications or the public domain guidelines.

All defects raised by Council officers during the construction period and at final inspection need to be rectified prior to and signed off at the final defects' inspection by Council officers to achieve Occupation Certification. A 52 week defects period will commence with issue of an Occupation Certificate.

Further signoff of defects will again be needed prior to final handover. The Certificate of Completion shall not be issued until Council's final approval is obtained.

The **Work-as-Executed Plans** shall be prepared and submitted to Council showing the final-approved public domain works after the final approval, and prior to any issue of the OC. The WAE drawings shall be submitted to Council as both CAD and PDF drawings.

Reason: To ensure the quality of public domain works is completed to Council's satisfaction.

TRAFFIC

Green Travel Plan

249. Prior to the issue of any Occupation Certificate(s), for the hotel or commercial tower, a Green Travel Plan is to be submitted to Council, supported by details of how that Plan will be implemented. The plan is to include:

- a) Targets to reduce single occupant car trips to the site for the journey to work and business travel based on an initial estimate of the number of trips to the site by mode,
- b) Measures to achieve the targets including a list of specific tools or actions,
- c) Monitoring Scheme including annual travel survey to estimate the change in travel behaviour to and from the site and a review of the measures based on the results of the travel survey.

It is recommended that the plan consider an Opal Card with credit and information pack on public transport to be provided to the new tenancies to encourage use of public transport. The Green Travel Plan shall be incorporated into or annexed to the strata management plan for the commercial and retail units in perpetuity.

Reason: To comply with Parramatta DCP 2011.

WASTE

Final Inspection of Commercial Waste Storage Areas

250. Prior to an Occupation Certificate being issued, a final inspection of the waste storage areas and facilities must be undertaken by a member of Council's Waste Team. This is to ensure compliance with Council's design specifications. Written confirmation will be provided by Council upon the development satisfying Council's requirements.

Reason: To ensure that waste management facilities and storage areas in commercial developments are compatible with Council's design requirements.

Details of commercial contract for collection

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

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

Ventilation – waste storage rooms

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

Reason: To ensure compliance with BCA requirements.

ENGINEERING

Work-as-Executed Plan

253. Works-As-Executed stormwater plans are to address the following:

- (a) A WAE survey shall be conducted and plans prepared showing the 'as built' of the complete on-site detention system including (but not limited to) discharge point into Council system, storage tank (including all critical elements), all pipes and pits connected to the OSD system, overland flow swale and surface levels that control surface flows to the OSD system and by design bypassing the OSD system.
- (b) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- (c) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- (d) The as built On-Site Detention (OSD) storage volumes are to be presented in a tabular form (depth verses volume table
- (e) OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
- (f) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The certificate must only be provided after conducting a satisfactory final inspection. The final inspection shall include the application of all the ancillary components of the system including but not limited to: step-irons, orifice plate, trash screen with appropriate wall attachment, hinged lockable grates, confined space sign, functioning return lap valve and relief drains within DCP sump etc.
- (g) Certificate of Structural compliance of the OSD tank shall reference the structural elements including floor slab/foundations, walls and cover slab from a qualified structural engineer

The above is to be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate and a copy is to accompany the Occupation Certificate when lodged with Council.

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

Design to withstand floodwater – WAE plans

254. Works as Executed plans of the building including the flood protection works required elsewhere in this Notice, to ensure the building does not fail due to floodwater forces, debris and buoyancy effects from flooding events must be

re-certified by a qualified structural and hydraulic engineer to the satisfaction of the PCA prior to release of the Occupation Certificate

Reason: To ensure the structure can withstand flooding impacts.

OSD Positive Covenant/Restriction – OSD facilities

255. Prior to the issue of an Occupation Certificate a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot.

The terms of the 88E Instruments are to be generally in accordance with Council's "standard terms" available in Council's website, under Development Forms.

Council's standard application form shall be lodged, accompanied by the required documents and plans, only after the completion, final inspection and certification of the on-site detention system.

The Positive Covenant and Restriction on the Use of Land is to be created through an application to NSW Land Registry Services using forms 13PC and 13RPA.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to Occupation of the site.

Electronic colour photographs in jpg format of the on-site detention facility shall accompany the application for the Positive Covenant and the Restriction on the Use of the Land. These photos shall include such elements as the orifice plate, trash screen, step irons, weir, sump and bench on the floor of the DCP, return pipe and flap valve, wide angle view of the storage area or multiple photos, grates closed from above, grates open showing the edges to the opening and under frame packing with mortar or concrete, all pipe entries to the DCP and confined space warning signs at each entry point. The photos must be well labelled and must differentiate between multiple tanks. Additional photos may be requested if required.

Reason: To ensure maintenance of on-site detention facilities

Positive Covenant - Maintenance of Flood Protection measures

256. Prior to the issue of any Occupation Certificate a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner(s) with the requirement to service and maintain all matters relating to flood protection, including but not limited to:

- a. the Shelter in Place Flood Refuges
- b. the Flood Exclusion barriers, doors and systems and
- c. the flood safe evacuation pathways from the basement and ground level to the Shelter in Place Flood Refuges.

The terms of the positive covenant and Restriction on the Use of Land must be to the satisfaction of Council's Group Manager, DTSU, and otherwise generally in accordance with Council's "standard terms" available in Council's website, under Development Forms.

The Positive Covenant/s and Restriction/s on the Use of Land shall be created via an application to the Land Titles Office using forms 13PC and 13RPA. Registered title documents showing the covenants and restrictions must be submitted to the Council for approval prior to Occupation or use of the development.

Reason: To ensure maintenance of flood protection measures

Car Share Spaces Protected

257. Prior to the issue of an Occupation Certificate, a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to provide and maintain 1 car share parking space on the lot and provide public access to these spaces. The authority to release must be the City of Parramatta Council.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through an application to the NSW Land Registry Services using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the car share spaces within the lot.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifier prior to Occupation or use of the site.

Reason: To ensure the availability of these spaces for car share operators.

Section 73 Certificate

258. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of any Occupation Certificate.

The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at www.sydneywater.com.au then the "e-developer" icon or telephone 13 20 92.

Please refer to "Your Business" section of Sydney Water's web site at www.sydneywater.com.au then the "e-developer" icon or telephone 13 20 92

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

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

Street Numbering

259. An application for street numbering must be lodged with Council for approval, prior to the issue of an Occupation Certificate or Subdivision Certificate whichever occurs first.

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

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

TRANSPORT FOR NSW (PLR)

Post - construction Dilapidation Report

260. Prior to the Issue of the Occupation Certificate, a post-construction dilapidation survey shall be undertaken via a joint inspection with representatives from TfNSW, the Parramatta Light Rail Operator and the applicant. The dilapidation survey will be undertaken on the rail infrastructure and property in the vicinity of the project. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report to TfNSW and the Parramatta Light Rail Operator will be required unless otherwise notified by TfNSW. The applicant needs to undertake rectification of any damage to the satisfaction of TfNSW and the Parramatta Light Rail Operator and if applicable the local council.

Reflectivity Report

261. Prior to the Issue of the Occupation Certificate, the applicant shall demonstrate that lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor were installed limiting glare and reflectivity to the satisfaction of TfNSW and the Parramatta Light Rail Operator.

TRANSPORT FOR NSW (ROADS)

Coach and Passenger Plan of Management

262. Prior to any Occupation Certificate, a Plan of Management for coach and passenger set down should be submitted to TfNSW for review and endorsement. As part of the development of the PoM, consultation should be sought with TfNSW via development.CTMP.CJP@transport.nsw.gov.au

Green Travel Plan

263. A Green Travel Plan (GTP) should be prepared in consultation with and endorsed by TfNSW prior to issue of Occupation Certificate. The GTP should detail the measures to improve walking and cycling, and public transport, such as connections into existing walking and cycling networks, high quality end-of-trip facilities and ensure sufficient supply of bicycle parking for visitors, employees and residents (provided in accordance with the relevant rates, specifications and standards) to promote sustainable travel choices for employees, residents or visitors, such as minimising car parking provision, encouraging public transport, cycling and walking, providing end of trip facilities,

car share and carpooling options and a comprehensive implementation plan for the delivery of the GTP. The GTP should also encourage shifting travel time outside of peak periods and support a reduction in the need to travel – remote, retime, reduce and remove.

The GTP should:

- Be prepared by a suitably qualified transport or traffic consultant in consultation with TfNSW;
- Include objectives and modes share targets to reduce car use and increase public and active transport (i.e. site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
- Include specific tools and actions to help achieve the objectives and mode share targets;
- Include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP;
- Include consideration of car parking management strategies that may be required to encourage sustainable transport use / mode share targets;
- Include a detailed Implementation Plan comprising specific tasks needed to complete the proposed actions, the person/s responsible for completion of the task, completion date and anticipated costs; and
- Include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.
- Include a Travel Access Guide (TAG) for employees, residents and visitors who will be using the new proposed development site. The TAG will need to be updated on a regular basis as more infrastructure comes into existence. For further helpful information – please check this link [How to Create a Travel Access Guide doc here](#). The TAG should:
 - Provide additional information about service routes and timetables for public transport is available on the Trip Planner at transportnsw.info/
 - Provide information advising that additional information about walking routes is available on the Trip Planner at transportnsw.info/
 - Update number and location of bicycle parking and End of Trip (EoT) facilities (showers, lockers, irons, ironing boards, towels, change rooms etc) and locate on map.
 - Promote and provide information to regarding car-share and carpooling. The applicant could actively promote carpooling on the TAG, through the creation of a designated parking area where carpool vehicles have a guaranteed space.

PART F – OCCUPATION AND ONGOING USE

PLANNING

Loading & unloading

264. All loading and unloading must:

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

Reason: To protect the amenity of the neighbourhood.

Sale of Alcohol

265. The supply and/or sale of alcohol from the Hotel is not permitted until consent has been obtained from Office of Liquor Gaming and Racing. Such consent must to be submitted to Council prior to occupation of the premises.

Note: (if General Bar) Any licence obtained from the Office of Liquor Gaming and Racing is not to permit takeaway liquor sales or the provision of gaming prior to further approval being obtained from Council.

Reason: To protect the amenity of the area.

Ancillary Hotel uses

266. The following elements are to operate as ancillary uses to the approved hotel use (i.e. not be run by a separate operator, not be advertised as separate uses, used primarily by hotel guests) unless otherwise approved by Council:

- Dining room – ground floor
- Dining room, function room, Board room, Club lounge – Level 1
- Wellness spa, gym/health club, pool, steam and sauna rooms – Level 2
- Restaurant- Level 10
- Bar – Level 30 and mezzanine

Reason: To ensure the use is operated in accordance with the application.

Ancillary Hotel use – operating hours

267. The ancillary hotel uses identified elsewhere in this Notice are restricted to hours of operation of 6:00am – 2:00am daily, unless approved otherwise by Council under a separate application.

Reason: To minimise the impact of the use on adjoining properties.

Ground Level Appearance

268. Roller shutters are not to be placed over any external door or window of the premises.

Reason: To provide an appropriate streetscape appearance.

Graffiti Management

269. The owner/manager of the site/business is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.

Reason: To ensure the removal of graffiti.

Release of Securities/Bonds

270. When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held in accordance with conditions elsewhere in this Notice.

Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Council's requirements.

Note: A written application to Council's Civil Assets Team is required for the release of a bond and must quote the following:

- (a) Council's Development Application number; and
- (b) Site address.

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

Reason: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.

Release of heritage security bond

271. Following the issue of an Occupation Certificate from the Principal Certifying Authority, an application in writing must be lodged with Council for the return of the security bond (Bank Guarantee).

Council will require written confirmation from Heritage NSW that it is satisfied all obligations and outcomes relative to the safe on site re-instatement of state archaeology, and all outcomes required for heritage interpretation, are satisfactory prior to the release of the bond. (bank guarantee)

Annual fire safety certificate

272. During occupation and ongoing use of the building, the applicant must provide an annual fire safety statement to Council and the Commissioner of Fire and Rescue NSW in accordance with clause 88 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Reason: To ensure annual checks on fire safety measures

Maintenance of wastewater & stormwater

273. During occupation and ongoing use of the building, the applicant must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective and in accordance with any positive covenant (if applicable).

Reason: To protect sewerage and stormwater systems

SUSTAINABILITY

NABERS Reporting

274. The applicant must undertake a formal NABERS Energy Rating within 18 months of building occupation, and submission of the rating result to the City of Parramatta.

Reason: To ensure sustainable development outcomes are achieved.

ENGINEERING

Building Flood Emergency Response Plan

275. The Building Flood Emergency Response Plan must form part of the Building Management Plan and must be tested at least annually, including:

- a) Building Managers must be always available and appropriately trained to operate the Shelter In Place facilities at very short notice 24 hours a day seven days a week.
- b) Building Managers must be always available and appropriately trained to operate the flood exclusion measures at very short notice 24 hours a day seven days a week.
- c) Operation of the flood exclusion measures, including flood gates, roller shutters, flood doors, lift protection and must be tested annually or when any functional issues are identified.
- d) Building Managers must be identified, always available and appropriately trained to operate the pedestrian egress measures at very short notice 24 hours a day seven days a week.

Reason: To ensure the development maintains adequate flood protection measures.

TRAFFIC

Review of Green Travel Plan

276. One year from the issue of the Occupation Certificate, and every year for 2 years thereafter, the applicant shall submit to the satisfaction of Council's Manager Development & Traffic Services a review report on the effectiveness of the Green Travel Plan. The reviews shall include surveys of modal share and vehicle trip generation for the various land uses within the development during peak and off-peak periods. The review shall also include any recommendations for improving the effectiveness of the plan. Any recommendations made to improve the effectiveness of the plan shall be incorporated into an updated Green Travel Plan.

Reason: To ensure the effective management of the Green Travel Plan.

WASTE

Remove putrescible waste at sufficient frequency

277. All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.

Reason: To ensure provision of adequate waste disposal arrangements.

Management of waste storage facilities

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

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

Storage of bins between collection periods

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

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

Trade Waste

280. 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.

Ongoing Management of Wastes (general)

281. All waste generated onsite must be removed at regular intervals and no less frequent than once weekly for garbage and once fortnightly for recycling. The collection of waste and recycling must not cause nuisance or interfere with the amenity of the surrounding area. Garbage and recycling must not be placed on public property for collection without the formal approval of Council. Waste collection vehicles servicing the development onsite must enter and exit a property in a forward direction.

Reason: To ensure that waste does not accumulate onsite.

Signage in Shared Waste Areas

282. Signage to encourage correct recycling and reduce contamination is required within shared waste rooms / bin storage areas. Standard signage is available through Council.

Reason: To encourage proper waste and recycling practices onsite.

Compliance with Servicing Requirements

283. All waste servicing instructions from Council must be complied with at all times. This includes any directives regarding the presentation of bins to a designated collection point and the maintenance of waste storage areas.

Reason: To ensure the safety and effectiveness of ongoing waste collection services.

NOISE

External Plant/Air-conditioning noise level

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

Reason: To minimise noise impact of mechanical equipment.

Use is not to cause offensive noise or vibration

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

- (a) transmission of unacceptable vibration to any place of different occupancy,

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

Reason: To prevent loss of amenity to the area.

Patron noise control

286. The proprietors of the venue shall be responsible at all times for the orderly dispersal of patrons from the venue.

Reason: To protect the amenity of the surrounding neighbourhood.

No 'offensive noise'

287. 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.

Noise from Customers

288. 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.

Neighbourhood Amenity near Licensed Premises

289. 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.

Noise from mechanical equipment

290. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

Noise to street

291. There are to be no external speakers at the premises.

Reason: To prevent loss of amenity to the area.

LANDSCAPING

292. All landscape works shall be maintained in accordance with the approved landscape plan and conditions.

Reason: To ensure restoration of environmental amenity.

ADVICE

Sydney Water

A. Out of Scope Building Plan Approval

Sydney Water will need to undertake a detailed review of building plans:

1. That affect or are likely to affect any of the following:
 - Wastewater pipes larger than 300mm in size
 - Pressure wastewater pipes
 - Drinking water or recycled water pipes
 - Our property boundary
 - An easement in our favour
 - Stormwater infrastructure within 10m of the property boundary.
2. Where the building plan includes:
 - Construction of a retaining wall over, or within the zone of influence of our assets
 - Excavation of a basement or building over, or adjacent to, one of our assets
 - Dewatering – removing water from solid material or soil.

The detailed review is to ensure that:

- our assets will not be damaged during, or because of the construction of the development
- we can access our assets for operation and maintenance
- your building will be protected if we need to work on our assets in the future.

The developer will be required to pay Sydney Water for the costs associated with the detailed review

B. Tree Planting

Certain tree species placed in close proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration

and soil destabilisation. Sydney Water requires that all proposed or removed trees and vegetation included within the proposal adhere to the specifications and requirements within Section 46 of the Sydney Water Act (1994) and *Diagram 5 – Planting Trees* within our Technical guidelines – Building over and adjacent to pipe assets. Please note these guidelines include more examples of potential activities impacting our assets which may also apply to your development.

If any tree planting proposed breaches our policy, Sydney Water may need to issue an order to remove every tree breaching the act, or directly remove every tree breaching the Act and bill the developer or Council for their removal.

C. Trade Wastewater Requirements

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au. A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

D. Backflow Prevention Requirements

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

1. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
2. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website:

<https://www.sydneywater.com.au/plumbing-building-developing/plumbing/backflow-prevention.html>